



To: Ms. Grace Mah, County Board of Education President
Dr. De La Torre, County Superintendent of Schools
Dr. Lucretia Peebles, Director, Charter Schools

From: Dale Jones, Executive Director, Discovery Charter School

Re: Introduction to Discovery II Charter Petition

Date: February 12, 2013

I'm excited to present to you this charter petition on behalf of Discovery Charter Schools.

On January 31, 2013 our charter application to the San Jose Unified School District was rejected. We feel that the denial of our petition was unwarranted and have responded to each specific claim made by the district in their staff report. Furthermore, we feel that we were not given a reasonable opportunity to work with the District to adequately present our charter and program. We were given a total of ten minutes for our hearing at their board meeting on January 17, 2013, and the ten minutes included speakers from the audience. Despite offers made through e-mail and in person, district staff never met with me to discuss our charter or program, never asked a single question, and failed to inform us of their Strategic Plan despite assertions to the contrary made to their own board on the night of their vote.

We present our charter petition to the County Board of Education and ask for your approval of the charter on appeal. Our mission at Discovery is to expand the available options for parents to be significantly involved in their child's education, and to make sure that every parent in Santa Clara County who wants a parent participation program for their family will have access to a high-quality parent participation school.

The demand for this school is clear. We have almost 150 parents who are volunteering 100 or more hours to help develop Discovery II. When we went out for signatures our volunteers collected more than 500 signatures in less than 48 hours from families who desire this program for their children. 195 of these families are from San Jose Unified. For the current school year we had 659 applications for 82 openings. 115 of these applications came from families in San Jose Unified.

We feel our program has many unique characteristics and strengths to offer families in San Jose Unified and throughout the County. These features include the Barton Early Intervention Reading Program, the Positive Discipline parenting program, our unique involvement of ELL parents to tutor our ELL students, a Learning Center model for special education, and much more.

We look forward to working with you in our effort to expand and enhance the educational options available to the families of Santa Clara County.



LAW OFFICES OF YOUNG, MINNEY & CORR, LLP

SACRAMENTO * LOS ANGELES * SAN DIEGO

FEBRUARY 12, 2013

VIA: HAND DELIVERY

Xavier De La Torre, Superintendent
Santa Clara County Office of Education
1290 Ridder Park Drive
San Jose, CA 95131-2304

Re: Discovery Charter School II Charter Petition Appeal to the Santa Clara County Board of Education

Dear Dr. De La Torre:

This letter is to inform you that Discovery Charter School II (the "Charter School") intends to appeal the denial of its charter petition by the San Jose Unified School District (the "District") to the Santa Clara County Board of Education (the "County Board"), as provided for in Education Code Section 47605(j)(1) and Title 5, California Code of Regulations Section 11967(a). Title 5, California Code of Regulations Section 11967(b) requires that a charter school whose petition has been denied and that wishes to appeal its petition to the County Board must send the following information within 180 days after the denial action:

- (1) A complete copy of the charter petition as denied by the District, including the signatures required by Education Code Section 47605. (Attached under Binder Tab 5.)
- (2) Evidence of the District governing board's action to deny the petition (e.g. meeting minutes) and the governing board's written factual findings specific to the particular petition, when available, setting forth specific facts to support one or more of the grounds for denial set forth in Education Code Section 47605(b). Attached under Binder Tab 3, please find:
 - a. District Board meeting minutes which constitute evidence of denial of the charter
 - b. District Board findings of fact for denial
- (3) A signed certification stating that petitioners will comply with all applicable law. (Attached under Binder Tab 1.)

At its January 31, 2013 meeting, the District Board voted to deny the Charter School's petition. This appeal is therefore well within the 180 day limit for submission of an appeal of a charter petition.

REPLY TO SACRAMENTO OFFICE

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*Superintendent
Santa Clara County Office of Education
Re: Discovery Charter School II Charter Petition Appeal to the County Board
February 12, 2013
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According to Title 5, California Code of Regulations Section 11967(d), no later than 60 days after receiving a complete petition package, the County Board shall grant or deny the charter petition. We anticipate that the County Board will adhere to this timeline during its consideration of the charter petition.

* * *

We look forward to working with the County Board and the Santa Clara County Office of Education during consideration of the charter petition. Please feel free to contact me, or Dale Jones, the lead petitioner (djones@discoveryk8.org; 408.243.9800) if you have any questions.

Sincerely,
**LAW OFFICES OF
MIDDLETON, YOUNG & MINNEY, LLP**

JANELLE A. RULEY
ATTORNEY AT LAW



FEBRUARY 12, 2013

VIA: HAND DELIVERY

Xavier De La Torre, Superintendent
Santa Clara County Office of Education
1290 Ridder Park Drive
San Jose, CA 95131-2304

RE: Description of Changes to the Petition Necessary to Reflect the Santa Clara County Board of Education as the Authorizing Entity

Dear Dr. De La Torre:

The Discovery Charter School II (the "Charter School") charter petition was submitted to the San Jose Unified School District (the "District") on December 7, 2012. The District voted to deny the petition on January 31, 2013.

The Charter School respectfully submits its charter petition to the Santa Clara County Board of Education (the "County"). We have listed below the relevant and appropriate changes to the charter petition which are necessary to reflect approval by the County:

1. Chartering Authority

Any text referring to the San Jose Unified School District, SJUSD, or the District as the chartering authority would be revised to read "Santa Clara County Board of Education," "Santa Clara County Office of Education," "SCCBE," "SCCOE," or the "County."

* * *

We will make every effort to submit any supplemental documentation that the County may request in a timely manner.

Sincerely,

SAN JOSE UNIFIED SCHOOL DISTRICT

STAFF REPORT: PETITION TO FORM
DISCOVERY CHARTER SCHOOL II

GOVERNING BOARD PUBLIC HEARING DATE:

January 17, 2013

GOVERNING BOARD DETERMINATION MEETING DATE:

January 31, 2013

I. INTRODUCTION

In December, 2012, the San Jose Unified School District (“District”) received a petition to form Discovery Charter School II, San Jose, serving grades K-8 for a term of five years, beginning on July 1, 2013. The first planned year of instruction would be 2013-2014.

The Charter Schools Act of 1992 permits school districts, county boards, and the State Board of Education (“SBE”) to grant charters for the operation of charter schools. (Ed. Code § 47600, *et seq.*) Charter schools “are part of the public school system,” but “operate independently from the existing school district structure.” (Ed. Code §§ 47615(a)(1), 47601) Charter schools are established through submission of a petition by proponents of the charter school to the governing board of a school district, county board or to the SBE. The governing board must grant a charter “if it is satisfied that granting the charter is consistent with sound educational practice.” (Ed. Code §47605(b)) Nevertheless, a governing board may deny a petition for the establishment of a charter school if it finds that the particular petition fails to meet enumerated statutory criteria and adopts written findings in support of its decision to deny the charter. (*Ibid.*) Once a governing board grants a charter petition, the charter school becomes a separate legal entity.

II. PROCEDURAL STATUS

Education Code §§47605(b) and 45607 require the District’s Board of Education (“Board”), within 30 days of receiving a petition, to “hold a public hearing on the provisions of the charter, at which time the governing board of the school district shall consider the level of support for the petition by teachers employed by the district, other employees of the district, and parents. The District asked the Petitioners for an extension of the deadlines by 30 days, due to the intervening winter recess following submission of the Petition. The Petitioners declined, and requested that the Board hold its public hearing and decision on the Petition on January 31, 2013. Education Code §47605(b) requires the board to “either grant or deny the charter within 60 days of receipt of the petition.” The Board will hold the public hearing, and act on whether to grant or deny the Petition during its January 31, 2013 meeting, at the specific request of the Petitioners.

The following members of the administration conducted a full review of the Petition:

Educational Program	<ul style="list-style-type: none">• Vincent Matthews, Ed.D., Superintendent• Jason Willis, Assistant Superintendent, Community Engagement & Accountability• Nancy Albarran, Assistant Superintendent, Curriculum & Instruction• Dane Caldwell-Holden, Principal/Manager, Learning Options/ESY
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Measurable Pupil Outcomes	<ul style="list-style-type: none"> • Mike Nebesnick, Director, DRA • Lambrina Kless and Kristina Rohanna, Managers, DRA
English Learner/ELD	<ul style="list-style-type: none"> • Jackie Zeller, Director, Curriculum, Instruction, EL Services, Elementary Education • Jodi Lax, Director, Curriculum, Instruction, EL Services, Secondary Education • Lori Chamberlund, Director, Educational Equity
Special Education	<ul style="list-style-type: none"> • Lynn Stacey, Director, Special Education
Employee Issues	<ul style="list-style-type: none"> • Meagan Azevedo, Director, Human Resources
Student Admissions	<ul style="list-style-type: none"> • Lori Chamberlund, Director, Educational Equity • Mike Nebesnick, Director, DRA
Student Discipline	<ul style="list-style-type: none"> • Don McCloskey, Director, Student Services
Budget, Fiscal & Facilities	<ul style="list-style-type: none"> • Florence Eng, Director, Internal Audit • Amy Ruffo, Director, Facilities
Legal	<ul style="list-style-type: none"> • John Yeh, Burke, Williams & Sorensen, LLP

III. REVIEW OF THE PETITION

Education Code §47605(b) sets forth the following guidelines for governing boards to consider in reviewing charter renewal petitions:

- 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.
- A school district governing board shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice.
- The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:

- (1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
- (2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
- (3) The petition does not contain the number of signatures required by statute.
- (4) The petition does not contain an affirmation of each of the conditions required by statute.
- (5) The petition does not contain reasonably comprehensive descriptions of the required elements of a charter petition.

The Charter Review Team was also guided in its analysis by the SBE regulations for the evaluation of charter petitions (hereinafter “regulations”). Where relevant, the content of the Education Code and regulations are stated or paraphrased with respect to each required element of the Petition in italics.

IV. CHARTER REVIEW TEAM RECOMMENDATION

The Charter Review Team recommends that the Board deny the Petition and adopt the recommendations in this Report as its findings.

V. FINDINGS OF CHARTER REVIEW TEAM

The Charter Review Team’s specific findings with regard to each element are described in numbered paragraphs below with reference to relevant statutory and regulatory requirements. The following will constitute the written findings in support of such denial.

I. THRESHOLD LEGAL REQUIREMENTS OF EDUCATION CODE §47605(A)

The California Education Code requires that charter petitions identify a single charter school that will operate within the geographic boundaries of the District, unless certain conditions are met.

Analysis: The Petition identifies a single charter school that will operate within the geographic boundaries of the District, though it does not identify a specific geographic location within the District.

II. EDUCATIONAL PROGRAM [EDUCATION CODE §47605(B)(1)]

Education Code §47605(b)(1) permits a school board to deny a petition to establish a charter school that presents an “unsound educational program.” The SBE regulations clarify that an unsound educational program to be one that involves activities that would

present the likelihood of physical, educational, or psychological harm to the students, and/or would not likely be of educational benefit to students. (Cal. Code Regs., tit. 5, § 11967.5.1(b)(1), (2))

Analysis: See, pp. 5-11, below.

III. SIXTEEN REQUIRED CHARTER ELEMENTS SET FORTH IN EDUCATION CODE §47605(B)(5)

Following is Staff's analysis of each of the 16 elements required by Education Code §47605(b)(5).

A. Element One: A Description of the Educational Program [Ed. Code, §47605, subd. (b)(5)(A)]

The Education Code requires 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. (Ed. Code, §47605(b)(5)(A)(i))

The regulations require the educational program description to include a framework for instructional design that is aligned with the needs of the target student population, as well as descriptions of the following: the basic learning environment, and the instructional approach, including the curriculum and teaching methods that will enable the school's students to master the content standards for the core curriculum areas and to achieve objectives specified in the charter. (Cal. Code Regs., tit. 5, §11967.5.1(f)(1)) The regulations further require an explanation of how the charter school will identify and respond to the needs of students who are not achieving at or above expected grade levels, how the charter school will meet the needs of students with disabilities, English learners, students achieving substantially above, or below grade level expectations, and other special populations, and the charter school's special education plan. (Ibid.)

1. Target Student Population:

Analysis:

The Petition states in its "Marketing and Community Outreach Plan" that "[i]t is our intention to establish a racial and ethnic balance amongst our students which is reflective of the student populations within the various School Districts of Santa Clara County. (Petition, Attachment 29, p. 157) The Petition provides a demographic profile of students in Santa Clara County. The Petition does not explain why it does not provide a more precise demographic profile of District students, though it is possible that this data is a vestige of the original petition that was submitted to the Santa Clara County Board of Education for a countywide charter petition under Education Code section 47605.6.

For a petition that is submitted to form a charter school under the authorization of a school district, the Petition's description of its targeted student population is not reasonably

comprehensive. The Petition fails to describe its targeted student population with reference to District demographics or geography. Supplying County-wide data is not sufficient to define the targeted student population of the District, due to the differences in diversity between the County and the District, especially in the subgroups of Asian and Hispanic/Latino students. The following tables demonstrate the difference between the District’s demographic profile, and that contained in the Petition for the County¹:

Subgroup	County	District
African American not Hispanic	7,190 (2.7%)	1,039 (3.1%)
American Indian or Alaska Native	1,060 (0.4%)	206 (0.6%)
Asian	71,170 (26.7 %)	4,107 (12.4%)
Filipino	12,330 (4.6%)	637 (1.9%)
Hispanic or Latino	101,625 (38.2%)	17,065 (51.7%)
Pacific Islander	1,758 (0.7%)	162 (0.5%)
White not Hispanic	61,603 (23.1%)	8,599 (26.0%)
Two or More Races	5,331 (2.0%)	367 (1.1%)
Total Enrollment	266,256	33,018

The Petition therefore lacks a reasonably comprehensive description of the proposed charter school’s targeted student population that is aligned with the District’s geographic and demographic profile.

2. *Proposed Curriculum/Framework for Instructional Design:*

Analysis:

The Petition emphasizes throughout that the heart of its educational program consists of its parent participation program. The various obligations of parents/guardians are set forth in the “Discovery Charter School Parent Agreement,” which is attached as Attachment 26 of the Petition. That Agreement contains the following provisions defining the obligation of parents/guardians who enroll parents in the school:

In signing this Agreement, we agree to support the Discovery educational philosophy and program in the following ways:

- To ensure that the developmentally-based small group learning environment of the Discovery program can be effectively implemented, we agree that we will participate in a regularly scheduled shift of up to two (2) hours per week per child (with a maximum of 6 hours per family). In the event of family needs such as pregnancy, family emergency, or illness, an accommodation may be negotiated with the Director.

¹ It appears that the Petitioners obtained the County demographic data, which is from the 2010-2011 school year, from the California Department of Education website. The District obtained the analogous SJUSD demographic data, which the Petition does not include, from the same source. (http://www.ed-data.k12.ca.us/App_Resx/EdDataClassic/fsTwoPanel.aspx?#!bottom=/_layouts/EdDataClassic/profile.asp?Tab=1&level=06&reportnumber=16#studentsbyraceethnicity)

- To ensure that we will be effective partners as classroom aides and on yard duty we will attend the mandatory Positive Discipline class held at Discovery. This requirement is a one-time only training and is required for all new families.
- To ensure that we will be effective partners in our child's education at Discovery we understand that we are required to, and will, attend all Parent Academy sessions, including all classroom parent meetings (PA101, PA102).
- To ensure that we will be effective partners in our child's education at Discovery we will participate in Back to School Night and all parent conferences.
- To ensure that we will be effective partners in our child's education at Discovery, our family will participate in a minimum of four (4) Parent Education Meetings during each school year. This requirement may be satisfied by attending Parent Education meetings (including Positive Discipline classes) at Discovery or by attending other Parent Education events off-site, with approval of the Director.
- To help ensure that our child's school has an environment conducive to learning, we will participate in at least one Work Day per year. This Work Day may be one of the regularly scheduled workdays, or special projects may be assigned at the staff's discretion.
- To help take care of the many tasks that need to be done at our school and to allow the Discovery teachers more time to focus on teaching our children, we will serve in at least one classroom or school-wide support position in addition to the regularly scheduled work shift.
- To help maintain a safe and healthy school environment, we will submit TB verification prior to participating.
- To ensure a safe school environment for the children attending Discovery, we agree that prior to participation, each volunteer will submit to be fingerprinted and have a background check made by an agency authorized by the Discovery Board. Results of such background checks will, at the discretion of the Director, be a basis for determining the scope and terms of participation.
- To provide a consistent learning environment, in the event that we are unable to work on our scheduled shift, we will arrange for a person on the approved Discovery volunteer list (with TB verification, fingerprints, and background check on file) to substitute for us. We will notify the teacher of any substitution.
- To support our children in learning by taking part in field trips, we will participate in a minimum of three (3) field trips per year per child

as a driver or chaperone. We agree that if we normally work on a day and time when a field trip is scheduled, we will be expected to drive or chaperone.

- In order to respect the privacy of the students, parents, and staff, we agree to abide by the confidentiality policies of Discovery.

The Director of Discovery has the authority and responsibility for the administration of this Agreement, including how and when we participate in the classroom or in other forms of participation. (Petition, Attachment 26)

Given that the parent participation model is the lynchpin of the proposed charter school's educational program, and given that the original Discovery Charter School, having been in operation since 2005, should have access to an extensive array of data and anecdotal evidence regarding the integration of the Parent Participation model into its educational program, the Petition does not contain the expected level of detail regarding how this model would operate. For example, the "Educational Philosophy and Instructional Design," "How Learning Best Occurs," "What it Means to be an Educated Person in the 21st Century" and "Curriculum" sections in the Petition do not incorporate any meaningful discussion of the parent participation model.

The "Learning Environment" section of the Petition does not incorporate parent participation into a larger description of the designs for instructional strategies and approaches. While parents are identified as providing supplemental instructional support in the Petition sections addressing the plan for academically high-achieving and low-achieving students, no additional detail is provided on how parents would be involved in the delivery of educational services to students. For example, the Petition does not address how parents would be integrated into the classroom setting to ensure that students are under the direct supervision of a certificated employee, as is required by law²; does not provide a reasonably comprehensive description of what training parents would undergo to prepare them for classroom participation; what role the parents would play in enforcing classroom behavioral norms, and what objective measures would be used to gauge the impact of parent participation in the classroom on pupil progress.

The Petition also lacks a reasonably comprehensive description of an overall framework for instructional design. With a program that has been in operation since 2005, one would expect that the organization would have developed a specific, robust and research-based framework for instructional strategies and methods, supplemented by anecdotal and data-based evidence.

Another deficiency in the Petition is the failure to address the burden of the parent participation program on families without the economic means to allow one parent to volunteer significant time at the school. The proposed charter school is likely to draw upon a distinctively different socioeconomic and ethnic demographic group than the

² Education Code §46300.

current program, which operates in the Moreland School District, as the chart below shows (2010-2011 school year)³.

Subgroup	Discovery I	District
African American not Hispanic	11 (1.9%)	1,039 (3.1%)
American Indian or Alaska Native	6 (1.1%)	206 (0.6%)
Asian	191 (33.5%)	4,107 (12.4%)
Filipino	8 (1.4%)	637 (1.9%)
Hispanic or Latino	60 (10.5%)	17,065 (51.7%)
Pacific Islander	3 (0.5%)	162 (0.5%)
White not Hispanic	242 (42.5%)	8,599 (26.0%)
Two or More Races	19 (3.3%)	367 (1.1%)
Free and Reduced Lunch	N/A	44.2%
English Learners	0 (0%)	26.1%

The obligations imposed upon parents under the “Parent Agreement” are quite substantial:

- 2 hours a week of volunteering;
- Mandatory attendance at the Positive Discipline class;
- Mandatory attendance at Parent Academy sessions;
- Mandatory attendance at Back to School Night and all parent conferences;
- Mandatory attendance at no less than four Parent Education Meetings each school year;
- Mandatory Participation in at least one Work Day per school year;
- Service in at least one additional classroom or school-wide support position;
- Participation in three field trips per year. (Petition, Attachment 26)

As a separate issue from the programmatic and policy benefits of parent participation, the ability of families of lower socioeconomic status to volunteer significant amounts of time to the school is not addressed in the Petition in a reasonably comprehensive manner. The success of a parent participation program may depend on the particular demographic profile of the enrolled students. The Petition fails to address how it would maintain the required level of participation with a student demographic that is likely to differ from that in its current program.

3. Special Education Program and § 504 Compliance:

³ Source: Discovery: http://www.ed-data.k12.ca.us/App_Resx/EdDataClassic/fsTwoPanel.aspx?#!bottom=/_layouts/EdDataClassic/profile.asp?tab=1&level=07&ReportNumber=16&County=43&fyr=1011&District=10439&School=0111880#studentsbyraceethnicity; District: http://www.ed-data.k12.ca.us/App_Resx/EdDataClassic/fsTwoPanel.aspx?#!bottom=/_layouts/EdDataClassic/profile.asp?tab=1&level=07&ReportNumber=16&County=43&fyr=1011&District=69666&School=0111880

Analysis:

The Petition's description of the proposed special education program suffers from some fundamental deficiencies. The "Plan for Special Education" states that the charter school would be "a public school of the Santa Clara County Board/Office of Education ("County") for purposes of special education pursuant to Education Code Section 47641(b)." (Petition, p.17) Since the Petitioners are applying for authorization from the District, this designation makes no sense. However, this error is repeated throughout the Petition's special education section, making it impossible to make a realistic determination of what service delivery model the charter school would utilize for special education, due to the erroneous reference to the "County" throughout this section. In the sections titled "Notification and Coordination" and "Identification and Referral," the Petition makes frequent references to the "County," as opposed to the District.

The Petition also erroneously states in the "Identification and Referral" section, paragraph two (Petition, p. 18), that the "District" would provide parents with a written assessment plan. The charter school would in fact provide this plan.

In the section titled "assessments," (Petition, p. 18) the Petition states that the Charter School "shall work to obtain parent/guardian consent to assess...." This is an incorrect statement of the law, since such consent is legally required before assessment.

In the section titled "Interim and Initial Placement" (Petition, p. 18), the Petition states that if students come from within the state with a "current" IEP, the District and charter school will provide a Free and Appropriate Public Education. However, since the obligations derive from the IDEA, which is federal law, these obligations would attach regardless of what state the student came from, and the IEP must be implemented until the 30-day review, regardless of whether or not it is "current."

Because this section appears to have been carried over from the Petition to form a countywide charter, without any revision to reflect the change in potential authorizer, the basic special education delivery model of the charter school cannot be deciphered because the Petition fails to correctly identify the fundamental delivery model for special education, as well as the respective roles of the charter school, District and SELPA. Therefore, the Petition's special education section fails to meet reasonable equivalence requirements.

4. *Low-Achieving Students, High-Achieving Students, English Language Learners: (Cal. Code Regs., tit. 5, § 11967.5.1(f)(1))*

Analysis:

The education of low-achieving students is addressed on page 13 of the Petition. As noted above, this section makes reference to parent participation in differentiated small group discussion, without providing a reasonably comprehensive description of the role

that the parents would play in supporting or supplementing instruction under the direct supervision of a certificated employee.

The section on educating high-achieving students is set forth on p. 14 and Attachment 11 of the Petition. While parent participation is likewise referenced, it is not integrated into the description of the method of delivering instruction in a reasonably comprehensive manner. The integration on the parent participation model in educating English Learners is likewise not comprehensively addressed.

B. Elements Two and Three: Measurable Student Outcomes and Measuring Student Progress [Ed. Code, §47605, subd. (b)(5)(B), (C)]

Regarding the descriptions of Measurable Pupil Outcomes and Measuring Pupil Progress, the Petition must meet the legal requirements of Education Code §47605, subdivisions (b)(5)(B), (C) and California Code of Regulations, title 5, §11967.5.1, subdivisions (f)(2), (3) regarding the identification of outcomes and assessment tools and plans.

The SBE regulations provide that a petition should set out measurable student outcomes to be used by the charter school. (Cal. Code Regs., tit. 5, § 11967.5.1(f)(2)) The student outcomes should, at a minimum:

(a) specify skills, knowledge, and attitudes that reflect the school's educational objectives and can be assessed by objective means that are frequent and sufficiently detailed enough to determine whether students are making satisfactory progress;

(i) the frequency of the objective means of measuring student outcomes should vary according to such factors as grade level, subject matter, the outcome of previous objective measurements, and information that may be collected from anecdotal sources; and

(ii) objective means of measuring student outcomes must be capable of being used readily to evaluate the effectiveness of and to modify instruction for individual students and groups of students.

(b) include the school's API growth target, if applicable. (Ibid.)

Analysis:

The Petition identifies a number of standardized assessment measures, as well as specific outcome goals (*i.e.*, 75% rate of students performing proficient or above in the CST's, with a 1% increase in each subject area for each year of the charter term, as well as meeting the annual API growth target and AYP criteria.) (Petition, p. 24) However, although the Petition makes a passing reference to incorporating Common

Core State Standards by the 2014-2015 school year (Petition, p. 11), it does not incorporate Common Core State Standards, or Smarter Balance standards or assessments, in this section of the Petition.

C. Element Four: Governance Structure, Including Parental Involvement [Ed. Code, § 47605, subd. (b)(5)(D)]

Education Code §47605(b)(5)(D) requires the Petition to describe the governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement. The regulations consider whether the proposed governance structure evidences that the charter school will become and remain a viable enterprise through organizational and technical designs, whether there will be active and effective representation of interested parties, including, but not limited to parents and guardians, and whether the educational program will be successful and parental involvement encouraged in a variety of ways at all levels of the program. (Cal. Code Regs., tit. 5 , § 11967.5(f)(4))

Analysis:

The proposed charter school would be operated and governed by the same non-profit corporation operating the existing Discovery Charter School. The Petition states that “[a]ll Discovery Charter Schools are governed by one single Board of Directors” and that “the make-up of the Board will consist of a minimum of one member representing each campus,” (Petition, p. 28), but does not specify how many other Discovery Charter Schools are currently in, or planned for, operation. Neither the Petition nor the bylaws contain any provisions that would ensure equal and fair representation of all Discovery charter schools on the Board. If each campus is entitled to a minimum of one member on the board, there is no assurance that any particular campus will receive proportional or equitable representation on the Board.

The Petition includes Articles of Incorporation, as well as Board bylaws, a Board Member Development Plan, and a conflict of interest code. However, the Conflict of Interest code only requires compliance with the Political Reform Act (Government Code §81000 *et seq.*), and not the provisions of Government Code §1090 *et seq.*, which are also applicable to public officials.

D. Element Five: Employee Qualifications [Ed. Code, § 47605, subd. (b)(5)(E)]

The regulations governing charter school petitions consider whether general qualifications for the various categories of employees (e.g., administrative, instructional, instructional support, non-instructional support) are identified, whether the qualifications ensure the health and safety of the school’s faculty, staff, and students, and the academic success of the students; whether positions that the charter school regards as key in each category are identified and specify the additional qualifications expected of individuals assigned to those positions; and whether all requirements for employment

set forth in applicable provisions of law will be met, including, but not limited to credentials as necessary. (Cal. Code Regs., tit. 5, § 11967.5(f)(5))

Analysis:

The Petition states that “core, college-prep teachers” shall be required to hold the required credential, and meet highly-qualified requirements under the No Child Left Behind Act. (Petition, p. 33-34) However, although Education Code §47605(l) provides credential “flexibility” in hiring non-core, non-college preparatory courses, the Petition lacks any requirements or minimum experience for teachers of such classes.

While the Petition contains job descriptions for teachers, there is nothing in the qualifications that would differentiate the requirements for teachers at the charter school from those in a traditional school setting. Moreover, aside from a passing reference to serving students with specialized needs, the Petition does not contain a reasonably comprehensive description of the requirements for personnel assigned to teach special education students.

The Petition contains a general description of a professional development plan, but does not contain a reasonably comprehensive description of the specific support provided to teachers in the form of research-based instructional support methods. The Teacher Evaluation instrument has only two ratings – “Meets the Standard” and “Needs Improvement” – and is not sufficiently calibrated to provide meaningful feedback to support professional growth as teachers.

E. Element Six: Procedures to Ensure Health and Safety of Students and Staff [Ed. Code, §47605(b)(5)(F)]

Education Code §47605(b)(5)(F) requires the Petition to describe the procedures that the school will follow to ensure the health and safety of pupils and staff, including the requirement that each employee of the school furnish the school with a criminal record summary as described in §44237. Among other items, the regulations consider whether health and safety procedures require criminal record summaries from employees, tuberculosis examinations of employees, student immunizations, and vision, hearing and scoliosis screening for students. (Cal. Code Regs., tit. 5, § 11967.5(f)(6))

Analysis:

Although the Petition identifies health and safety policies in a number of areas, it does not attach policies, except for a Sample Emergency Plan. (Attachment 21) Although the Petition states that all employees shall be mandated child abuse reporters, it does not provide for any training or documentation to be provided to employees on their reporting duties.

F. Element Seven: Racial and Ethnic Balance
[Ed. Code, §47605(b)(5)(F)]

The Petition must contain a description of 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. (Cal. Code Regs., tit. 5, § 11967.5(f)(7))

Analysis:

The Petition states that it will “strive to achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the District.” (Petition, p. 39) However, the Petition provides no further information regarding either the geographic or demographic profile of the students that the school intends to enroll. As has been noted above (p. 9), the demographic profile of the original Discovery Charter School is quite different from that of the District.

Voluntary Integration Plan:

The Petition fails to discuss, outside of a passing reference, the District's Voluntary Integration Plan from the *Diaz v. San Jose Unified School District* matter, which is intended to avoid segregation based on race from occurring within the District. The Petition fails to address how the charter school's admission efforts would integrate with the student assignment system, monitoring or review process set forth in the Voluntary Integration Plan based on socio-economic criteria.

The Voluntary Integration Plan requires the District to take steps to prevent future discrimination and segregation in its schools. Under the Plan, the District is prohibited from adopting any program for the purposes of discriminating against any person on the basis of race, color, ethnicity or national origin; authorized to monitor District facilities and resources to ensure equitable distribution of resources; obligated to regularly review and assess whether the District is taking any action that appears to be having an adverse effect upon racial integration upon students, faculty or staff and take any necessary corrective action; consider the potential racial and ethnic impact of all actions and policies and reject alternatives that intensify racial isolation in the schools; and maintain a Voluntary Integration Plan that will prevent intentional discrimination, prevent racial isolation, and foster integration, diversity and equal opportunity.

Therefore, the Petition lacks a reasonably comprehensive description of the Charter School's plan to achieve a racial and ethnic balance. Given the concerns expressed above regarding the implementation of the charter school's parent participation model (p. 8), the Petition requires a more comprehensive description of the charter school's anticipated demographic profile.

G. Element Eight: Admissions Requirements
[Ed. Code, §47605(b)(5)(F)]

The Petition must contain a reasonably comprehensive description of admissions requirements in compliance with the requirements of law. (Cal. Code Regs., tit. 5, § 11967.5(f)(8))

Analysis:

Education Code §47605(d)(2)(B) calls for a public random drawing in the event that the number of interested student exceeds available seats. A statutory preference must be given to returning students, and in-District students. The Petition's proposed preferences for children of founding families, children of paid staff, and EL students (Petition, pp. 41-42) do not align with the statutory preferences, and also make the school less accessible to all demographic groups in the District. The weighing system described in the Petition also is not aligned with the statutory preferences. The preference for EL students is also vulnerable on Constitutional grounds, and it is also not well-defined, as the Petition does not make clear how the charter school would determine that potential students have been classified as English Learners.

H. Element Nine: Audit of Financial and Programmatic Operations [Ed. Code, § 47605, subd. (b)(5)(I)]

Education Code §47605(b)(5)(I) requires the Petition to describe 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. The regulations consider whether audits will employ generally accepted accounting principles, and whether the Petition specifies who is responsible for contracting and overseeing the independent audit; whether the auditor will have experience in education finance; whether the process of providing audit reports to the chartering district, or other agency as the district may direct, is addressed, including timelines and procedures for addressing findings and/or resolving any audit exceptions. (Cal. Code Regs., tit. 5, §11967.5(f)(9))

Analysis:

This section meets legal requirements.

I. Element Ten: Student Suspension/Expulsion Procedures [Ed. Code, § 47605, subd. (b)(5)(J)]

Education Code §47605(b)(5)(J) requires the Petition to describe the procedures by which pupils can be suspended or expelled. The regulations consider numerous factors related to this charter petition element. Procedures must minimally identify a preliminary list of offenses for which students may (or must, where discipline is non-discretionary) be suspended or expelled; identify the procedures by which students can be suspended

or expelled; identify the procedures by which parents, guardians, and students will be informed about reasons for suspension or expulsion and of their due process rights in regard to suspension or expulsion; provide evidence that the petitioners reviewed the lists of offenses and discipline procedures and believe their lists provide adequate safety for students, staff, and visitors to the school and serve the best interests of the school's students and their parents/guardians; and provide due process for all students and demonstrate an understanding of the rights of students with disabilities in regard to suspension and expulsion; and outline how detailed policies and procedures will be developed and periodically reviewed and modified, as necessary. (Cal. Code Regs., tit. 5, § 11967.5(f)(10))

- (a)** *identify a preliminary list of offenses for which students may (or must, where discipline is non-discretionary) be suspended or expelled, and how these grounds are consistent with federal law;*

Analysis:

The list of enumerated offenses, for both discretionary and non-discretionary suspension and expulsion, is contained on pp. 160-166 of the Petition. However, there is no differentiation of the grounds for suspension and the grounds for expulsion, and no discussion of the rationale behind the lack of differentiation, which casts doubt on whether the Petitioners reviewed the list to determine whether the grounds provide adequate safety for students, staff and visitors.

- (b)** *identify the procedures by which students can be suspended or expelled;*

Analysis:

The suspension and expulsion procedure is outlined on pp. 166-168 of the Petition.

- (c)** *identify the procedures by which parents, guardians, and students will be informed about reasons for suspension or expulsion and of their due process rights in regard to suspension or expulsion;*

Analysis:

These elements are included on pp. 166-168 of the Petition.

- (d)** *provide evidence that the petitioners reviewed the lists of offenses and discipline procedures and believe their lists provide adequate safety for students, staff, and visitors to the school and serve the best interests of the school's students and their parents/guardians;*

Analysis:

The grounds for suspension and expulsion are identical, without explanation, casting doubt as to whether the Petitioner "reviewed the lists of offenses and discipline procedures and believe their lists provide adequate safety for students, staff, and

visitors to the school and serve the best interests of the school's students and their parents/guardians."

- (e) provide due process for all students and demonstrate an understanding of the rights of students with disabilities in regard to suspension and expulsion; and

Analysis:

This element is contained in pp. 166-168. Procedures for students with disabilities are contained on p. 171-172.

- (f) outline how detailed policies and procedures will be developed and periodically reviewed and modified, as necessary.

Analysis:

This element is addressed on p. 159

J. Element Eleven: Manner in Which Staff Will Be Covered by STRS, PERS, or Federal Social Security [Ed. Code, § 47605, subd. (b)(5)(K)]

Education Code §47605(b)(5)(K) requires the Petition to describe the manner by which staff members of the charter school will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security. This requires, at a minimum, that the charter specify the positions to be covered under each system and identify the staff who will be responsible for arranging coverage.

Analysis:

This section meets legal requirements.

K. Element Twelve: Student Attendance Alternatives [Ed. Code, § 47605, subd. (b)(5)(L)]

The Petition shall address the public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools. (Cal. Code Regs., tit. 5, § 11967.5(f)(12))

Analysis:

This section meets legal requirements.

**L. Element Thirteen: Employee Rights
[Ed. Code, § 47605, subd. (b)(5)(M)]**

The Petition shall contain a description of the rights of any employees 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. (Cal. Code Regs., tit. 5, § 11967.5(f)(13))

Analysis:

This section meets legal requirements.

M. Element Fourteen: Dispute Resolution [Ed. Code, § 47605, subd. (b)(5)(N)]

The Petition must contain the procedures to be followed by the charter school and the chartering authority to resolve disputes relating to provisions of the charter. (Subd. (b)(5)(N)) The procedures shall, at a minimum:

- (a) describe how the costs of the dispute resolution process, if needed, would be funded; and*
- (b) recognize that if the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter, the matter will be addressed at the chartering district's discretion in accordance with that provision of law and any regulations pertaining thereto. (5 C.C.R. § 11967.5.1(f)(14))*

Analysis:

The Petition contains contradictory statements regarding the District's ability to intervene in the charter school's internal disputes. First, the Petition states:

The District shall not intervene in any such internal disputes without the consent of the Board of Discovery and shall refer any complaints or reports regarding such disputes to the Board or the Superintendent/Executive Director of Discovery Charter Schools for resolution pursuant to the school's policies. (Petition, p. 48)

This provision is inappropriate since infringes upon the District's oversight duties. The charter cannot restrict the District's ability to monitor the charter school's compliance with law and its charter. (Education Code section 47607)

The above provision is immediately followed by the following sentence:

The District agrees not to intervene or become involved in an internal dispute unless the dispute has given the District reasonable cause to believe that a violation of this charter or laws or issues of student health or

safety have occurred, or unless the Board of the School has requested the District to intervene in the dispute. (Petition, p. 48)

However, this provision also unduly restricts the District's oversight duties. The District should be able to intervene in a dispute if, in its judgment, the subject matter of the dispute falls within the District's scope of oversight.

The Petition also lacks the required provision that disputes potentially leading to revocation "will be addressed at the chartering district's discretion in accordance with that provision of law and any regulations pertaining thereto." (5 C.C.R. § 11967.5.1(f)(14))

N. Element Fifteen: Exclusive Public School Employer [Ed. Code, § 47605, subd. (b)(5)(O)]

The Petition must also contain a "declaration of whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Rodda Act." (5 C.C.R. § 11967.5.1(f)(15))

Analysis:

This section meets legal requirements.

O. Element Sixteen: Closure Protocol [Ed. Code, § 47605, subd. (b)(5)(P)]

The Petition must include a description of closure procedures, including a plan for disposing of any net assets and for the maintenance and transfer of student records.

Analysis: This section meets legal requirements.

IV. THE PETITIONERS ARE DEMONSTRABLY UNLIKELY TO SUCCESSFULLY IMPLEMENT THE PROGRAM DESCRIBED IN THE PETITION [EDUCATION CODE §47605 (B)(2)]

The regulations require consideration of whether a charter petition has presented a realistic financial and operational plan in determining whether petitioners are likely to be successful in implementing the charter program, including the areas of administrative services, financial administration, insurance and facilities. (Cal. Code Regs., tit. 5, § 11967.5(c))

A. Administrative Services

Analysis:

The Petition addresses administrative services on pp. 56. The Petition states that the charter school would obtain administrative services from the District on a "fee-for-service basis." However, the District would have to voluntarily consent to enter into a contract to provide such services. The Petition fails to identify an alternative means of

obtaining administrative services in the event that the District declines to enter into such an agreement.

B. Unrealistic Financial/Operational Plan

The Education Code requires a petition to contain cash flow and financial projections for the first three years of operation. (Education Code §47605(g))

Analysis:

The Petitioners did not provide a budget narrative to describe how the budgets are projected. In addition, the Petitioners failed to provide cash flow projections. Both of these are legally required (Education Code §47605(g)), and critical to evaluating whether the projections are reliable and sufficient for operating a charter school. The Petitioner also made an arithmetical error in budget years 2014-15 and 2015-16, as fund balances were out of balance by \$19,069 and \$41,333, respectively.

The Petition's financial plan also contained the following deficiencies:

- The budget includes a line item for the Educationally Disadvantaged Block Grant of \$17,921 in 2013-14, but not for 2014-5 and 2015-16. No explanation is provided for the discrepancy.
- Computers are budgeted for teachers only, not office staff (School Administrator, Office Manager and Secretary).
- Travel and Conferences are budgeted for teachers only, not for office staff.
- Health & Welfare is estimated at \$6,000 per staff member; however, it appears that the School Administrator's health & welfare cost was omitted (for all three years).
- Security costs for 2013-14 are \$4,000, but not budgeted for 2014-15 and 2015-16.
- No related employee benefits have been calculated for "Substitute Teachers."
- No budget for miscellaneous operating expenses appears in 2015-16.

C. Insurance

Analysis:

The Petition addresses the insurance requirements for the charter school on p. 56.

D. Facilities

Analysis:

The charter school intends to seek facilities from the District under Proposition 39. (Petition, p. 57)

E. District Impact Statement

Education Code §47605(g) requires that a charter petition “provide information regarding the proposed operation and potential effects of the school ... upon the school district.”

Analysis:

This element is addressed on pp. 58 and Attachment 31.

V. CONCLUSION

The Petition fails to meet the legal requirements of Education Code §47605(b) because it fails to:

- Provide a reasonably comprehensive description of the targeted student population;
- Provide a reasonably comprehensive description of the framework for instructional design;
- Sufficiently integrate the parent participation model into the overall instructional framework for the school, educating high and low achieving students, student discipline and behavioral norms, and monitoring of student progress;
- Address how the school would sustain the parent participation model for a student demographic differing from its current school operating in the Moreland School District, and with a lower socioeconomic profile;
- Sufficiently incorporate Common Core State Standards into its assessment measures;
- Provide for means to ensure fair and equitable representation of each Discovery campus on the governing board, and affirming that board members and employees will comply with the conflict of interest requirements set forth in Government Code section 1090 *et seq.*;
- Provide a reasonably comprehensive description of grounds for suspension and expulsion that are differentiated;
- Define sufficiently the role of the authorizing agency in the dispute resolution procedure, and include the required language that the

authorizer may intervene in disputes potentially leading to revocation under the procedures set forth in Education Code §47607; and

- Provide required cash flow or budget narratives, and provide a budget that contains all necessary expenses and revenues for all budget years.

Based on the above conclusions, the Charter Review Team recommends that the Board deny the petition to form the Discovery Charter School II, and adopt as its findings the conclusions set forth in this report.

Respectfully Submitted,

San Jose Unified School District
Charter Review Team



LAW OFFICES OF YOUNG, MINNEY & CORR, LLP
SACRAMENTO ■ LOS ANGELES ■ SAN DIEGO

FEBRUARY 12, 2013

Via Hand Delivery

REPLY TO SACRAMENTO OFFICE

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Charter Schools Department
Santa Clara County Office of Education
1290 Ridder Park Drive
Santa Clara, CA 95131

Re: Response to San Jose Unified School District Staff Report and Findings of Fact for Denial of the Discovery Charter School II Charter Petition

Dear Dr. Peebles:

On January 31, 2013, the San Jose Unified School District (“District”) Board of Education voted to deny the charter petition for Discovery Charter School II (“Discovery II” or the “Charter School”) based upon the findings contained in a District staff report. The purpose of this letter is to respond to the District’s findings of fact for denial of the charter petition, and to demonstrate that the District Board did not have sufficient legal grounds to deny the charter.

At the outset, we point out that the Education Code provides specific guidance to governing boards to approve the establishment of charter schools. Education Code Section 47605(b) states:

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. (Emphasis added.)

Education Code Section 47605(b) also provides the legal basis for the denial of a charter petition as follows:

The governing board of the school district shall grant a charter for the operation of a school under this part if it is

satisfied that granting the charter is consistent with sound educational practice. The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:

- (1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
- (2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
- (3) The petition does not contain the number of signatures required by subdivision (a) [of Education Code Section 47605].
- (4) The petition does not contain an affirmation of each of the conditions described in subdivision (d) [of Education Code Section 47605].
- (5) The petition does not contain reasonably comprehensive descriptions of [the 16 required elements]. (Emphasis added.)

Accordingly, the law is written such that the default position is for a school district board of education to approve a charter petition, unless it makes written factual findings to support a denial.

The District Staff Report, adopted as findings for denial of the charter petition by the District Board, contains findings that do not meet the legal standard for denial of a charter petition. Many of the findings concern resolvable matters that the District could have more appropriately dealt with through minimal communication with the Charter School, in a memorandum of understanding with Discovery II, or imposed conditions on the Charter School's opening and operation. Moreover, the findings are based on incorrect facts, conjecture, or go beyond the requirements set forth in law, and therefore the findings constitute an impermissible basis for denial of the Discovery II charter.

Below, please find the summary of findings from the District staff report, in the order in which they were presented, immediately followed by the Charter School's response. The Discovery II responses were drafted both by the petitioners and by our office.

District Finding: The Petition fails to meet the legal requirements of Education Code §47605(b) because it fails to: Provide a reasonably comprehensive description of the targeted student population.

Discovery II response: The District’s concern in this finding is that the Discovery II charter petition contained demographic data for Santa Clara County and not specifically focus on demographic data for the District. However, on page 2 of the charter petition, Discovery II affirmed that it would follow all applicable state laws; this would include the requirement that the racial and ethnic balance of student population of Discovery II would reflect that of the general population residing within the District. Furthermore, there is no legal requirement that a charter petition must detail the authorizer’s demographics, only that the charter petition “identify those whom the school is attempting to educate” (Education Code Section 47605(b)(5)(a)(i)). Discovery II identified its target student population in a reasonably comprehensive manner on page 11 of the charter petition: students who “are seeking an alternative to their current educational system, desire an innovative approach, and share the vision of Discovery Charter Schools.”

Accordingly, this finding is not supported by fact or applicable law, and is an impermissible basis for denial of the charter petition.

District Finding: The Petition fails to meet the legal requirements of Education Code §47605(b) because it fails to: Provide a reasonably comprehensive description of the framework for instructional design.

Discovery II response: The District devoted two sentences in its 22 page staff report to this finding. It did not set forth any specific facts about the charter petition in this regard, and simply offered its unsupported conclusion and expectation that the charter would have included more.

Contrary to the District’s conclusory statement, the Discovery II charter contains a wealth of information about the Charter School’s instructional framework, addressing its instructional design, curriculum, and learning environment. Education Code Section 47605(b) requires a *reasonably comprehensive* description of the 16 required elements. Discovery II has met this requirement.

Accordingly, this finding is not supported by fact or applicable law, and is an impermissible basis for denial of the charter petition.

District Finding: The Petition fails to meet the legal requirements of Education Code §47605(b) because it fails to: Sufficiently integrate the parent participation model into the overall instructional framework for the school, educating high and low achieving students, student discipline and behavioral norms, and monitoring of student progress.

Discovery II response: The District has made the determination that parent participation is the “lynchpin” of the Charter School’s educational program. This characterization strains a credible

reading of the charter petition. Parent participation, while a vital and significant part of the Discovery II school experience, does not drive the educational program of the Charter School. The charter presents a reasonably comprehensive and accurate description of its educational program.

Accordingly, this finding is not supported by fact and is an impermissible basis for denial of the charter petition.

District Finding: The Petition fails to meet the legal requirements of Education Code §47605(b) because it fails to: Address how the school would sustain the parent participation model for a student demographic differing from its current school operating in the Moreland School District, and with a lower socioeconomic profile.

Discovery II response: The District argues, without any research or sources to back up its claim, that socioeconomically disadvantaged families will not be able to meet the volunteer expectations of Discovery II. However, the Charter School firmly believes, and has seen, that an interest in volunteering and becoming part of a child's education does not correlate to income. Discovery II does not believe that different demographics will alter the parent participation model sufficiently enough as to address that in the charter petition. The Charter School's experience in Discovery I has shown that low income families who work during the day can find alternative means of substantial involvement in the program, including activities that can be done in the evenings and on weekends. The schools vast number of evening and weekend events provide many opportunities for involvement. The Executive Director personally meets with each family who requires an alternative arrangement for participation and this is documented and communicated with the staff and volunteers who coordinate parent involvement.

Accordingly, this finding is not supported by fact, it is merely conjecture, and is an impermissible basis for denial of the charter petition.

District Finding: The Petition fails to meet the legal requirements of Education Code §47605(b) because it fails to: Sufficiently incorporate Common Core State Standards into its assessment measures.

Discovery II response: As the District is no doubt aware, implementation of the Common Core State Standards will not occur until the 2014-15 school year, with implementation of standardized assessments to follow. No charter school or school district can know yet what the assessments will ultimately consist of; as such, Discovery II cannot provide a description of these as-yet created assessments. On page 11 of the charter, Discovery II affirms its planned adherence to the Common Core State Standards, including new assessments. At this stage, that is as specific as the Charter School can reasonably be. Further, pages 24 – 26 demonstrate the breadth of assessments that Discovery II will utilize, beyond standardized tests.

Accordingly, this finding is not supported by fact and is an impermissible basis for denial of the

charter petition.

District Finding: The Petition fails to meet the legal requirements of Education Code §47605(b) because it fails to: Provide for means to ensure fair and equitable representation of each Discovery campus on the governing board, and affirming that board members and employees will comply with the conflict of interest requirements set forth in Government Code section 1090 *et seq.*

Discovery II response: Discovery Charter School, which will operate Discovery II, is committed to a Board membership that will provide for a fair and equitable representation of its charter schools. Discovery Charter School Board members all hold a fiduciary duty to the corporation to make the best decisions possible for each charter school that the corporation operates. Thus, in addition to specific representation for each charter school, each Board member has a duty to protect and support the Charter School. By stating that at least one person will represent each Discovery Charter School campus, the Charter School has explained how it will ensure fair and equitable representation.

The District appears to find that Discovery Charter School “should” comply with Government Code Section 1090, despite the fact that legislative measures aimed at establishing such compliance have consistently failed to become state law. It is our legal opinion that Government Code Section 1090 does not apply to charter schools. We believe the District has reached this conclusion based upon an erroneous interpretation of the relevant law.

Pursuant to Education Code Section 47610, charter schools are exempt from “the laws governing school districts,” with only a few minor exceptions, not applicable here. This Section is known as the “mega-waiver.” School districts themselves are not directly governed by Government Code Section 1090. Absent Education Code Section 35233, which directs school district governing boards to comply with Government Code Section 1090, the provisions of Section 1090 would not apply to school districts.

As it is only through Education Code Section 35233 that Government Code Section 1090 applies to school districts, charter schools are necessarily exempt from Section 1090 by virtue of the “mega-waiver” described above. Since Education Code Section 35233, by its terms, does not apply to charter schools, and no other California statute states that Section 1090 applies to charter schools, there is no statute that applies Government Code Section 1090 to charter schools. The Legislature is presumed to have been aware of Education Code Section 35233 when it enacted the Charter Schools Act. It made no exception in the “mega-waiver” for Section 1090 when it adopted Education Code Section 47610, although it expressly made a number of other exceptions. Thus, Section 1090 is not applicable to charter schools.

Further, numerous Legislative attempts over the past several years have attempted to require charter schools to comply with Government Code Section 1090. All such attempts have been vetoed by governors of both political parties. Had it been clear that Government Code Section 1090 applied to charter schools, certainly no Legislative solution would have needed to be

drafted.

Accordingly, this finding is not supported by fact or applicable law, and is an impermissible basis for denial of the charter petition.

District Finding: The Petition fails to meet the legal requirements of Education Code §47605(b) because it fails to: Provide a reasonably comprehensive description of grounds for suspension and expulsion that are differentiated.

Discovery II response: As support for this finding, the District identified 5 CCR 11967.5.1(f)(10) (please note: the citation used in the District's staff report is incorrect, but our office understands the regulation to which the District intended to cite). However, this regulation section does not apply to Discovery II. Title 5, California Code of Regulations, Section 11967.5 states: "The State Board of Education shall utilize the criteria set forth in Section 11967.5.1 in reviewing the elements of a charter petition submitted for its approval..." (Emphasis added.) As the Regulation states, it only applies when the State Board of Education is reviewing a charter that has been submitted to that body for approval. The Discovery II charter was submitted to the District for approval. Therefore, the criterion contained in the cited Regulation does not apply to the Charter School. That said, the suspension/expulsion process described within the charter is reasonably comprehensive.

Accordingly, this finding is not supported by law and is an impermissible basis for denial of the charter petition.

District Finding: The Petition fails to meet the legal requirements of Education Code §47605(b) because it fails to: Define sufficiently the role of the authorizing agency in the dispute resolution procedure, and include the required language that the authorizer may intervene in disputes potentially leading to revocation under the procedures set forth in Education Code §47607.

Discovery II response: As in the finding immediately above, the District cites to a Regulation here that is inapplicable to the Charter School. Further, Education Code Section 47605(b) requires a reasonably comprehensive description of the 16 required elements. Discovery II has provided a reasonably comprehensive description of the dispute resolution process. A dispute resolution process is a two-way street: both parties must agree at the outset to the process. If the District prefers a different dispute resolution process, which it certainly has the prerogative to do, it could have addressed this in an MOU with the Charter School.

Accordingly, this finding is not supported by fact or applicable law, and is an impermissible basis for denial of the charter petition.

District Finding: The Petition fails to meet the legal requirements of Education Code §47605(b) because it fails to: Provide required cash flow or budget narratives, and provide a budget that contains all necessary expenses and revenues for all budget years.

Lucretia Peebles, Director

Re: Response to San Jose Unified School District Staff Report and Findings of Fact for Denial of the Discovery Charter School II Charter Petition

February 14, 2013

Page 7 of 7

Discovery II response: The budget presented in the Discovery Charter II charter includes a multi-year (3) budget which includes expenses and revenues for all budget years.

Accordingly, this finding is not supported by fact and is an impermissible basis for denial of the charter petition.

* * *

Discovery II looks forward to any additional questions from the Santa Clara County Office of Education, and collaboration with your office regarding its charter petition. Should you wish to discuss our responses to any of the above findings or require additional information, please do not hesitate to contact me or the lead petitioner, Dale Jones (djones@discoveryk8.org; (408) 243-9800) anytime.

Sincerely,
**LAW OFFICES OF
YOUNG, MINNEY & CORR, LLP**

**LISA A. CORR
ATTORNEY AT LAW**

San Jose Unified School District Minutes

Created: February 12, 2013 at 10:18 AM

01-17-13 Regular Session Board Meeting

January 17, 2013

Thursday, 06:00 PM

Board Room

855 Lenzen Avenue

(District Administration Building)

Attendees

Teresa Castellanos	Board Member
Sandy Engel	Board Member
Pam Foley	Board Member
Rich Garcia	Board Member
Veronica Lewis	Board Member

CLOSED SESSION AGENDA - 5:00 PM

1. Student Discipline - Student Expulsion Hearings [Pursuant to Education Codes 35146 and 48981] (D)

RECOMMENDATION: That the Board of Education hold a hearing on the attached Student Expulsion Cases to consider the recommendation of the Administrative Hearing Panel to expel the students referenced in these expulsion cases:

- Student Expulsion Case Number 2012-13-034
- Student Expulsion Case Number 2012-13-036
- Student Expulsion Case Number 2012-13-037
- Student Expulsion Case Number 2012-13-040

2. Personnel [Pursuant To Government Codes 54954.5 and 54957.1] (D)

RECOMMENDATION: That the Board of Education approve the following Personnel Items:

A. Public Employee Appointment

Assistant Principal, Middle School, 0.5 FTE

B. Release/Termination/Reassignment/Dismissal

C. Layoffs/Leaves of Absence/Resignation

D. Public Employee Contracts

3. Conference with Legal Counsel - Potential Litigation including claims [Pursuant to Government Code 54956.99(b)] (D)

RECOMMENDATION: That the Board of Education consider and approve the recommendation of legal counsel.

REGULAR SESSION AGENDA

I. Call Meeting to Order

Minutes

Board President, Mrs. Foley called the meeting to order at 6:02 p.m.

Mrs. Foley began the meeting saying, "Our last Board meeting was December 13th and as we prepared for the holiday break none of us anticipated what would occur the following day, the brutal massacre at Sandy Hook Elementary. And so, I would like to start this meeting with a moment of silence for the principals, psychologists and teachers of Sandy Hook Elementary that sacrificed their lives to protect their children and for the children who died; their families, fellow students and staff we offer our moral support though we cannot ever know the devastation that they are experiencing. Let us take this moment in silence and vow to take every step possible to keep our children safe."

II. Pledge of Allegiance

Minutes

Student Board Member, Anni Guptill led the Pledge of Allegiance.

Board Member, Ms. Teresa Castellanos announced that Spanish translation is available.

III. Adopt the Agenda

1. Adopt the Agenda (D) (V)

Minutes

Dr. Matthews announced an amendment to the agenda: Pull Item VIII.B.1 – Amendment to Board Policy 3100 – Business and Noninstructional Operations – Budget (2nd Reading).

The agenda was adopted as amended.

Motion made by: Rich Garcia

Seconded by: Veronica Lewis

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes
Pam Foley	Yes
Rich Garcia	Yes
Veronica Lewis	Yes

IV. Special Order of Business

1. Public Hearing - Discovery Charter School (D)

Minutes

Board President, Mrs. Foley opened the public hearing at 6:05 p.m.

Speaker: Mr. Dale Jones, Executive Director of Discovery Charter School

Mr. Jones thanked the Board for the opportunity to address them this evening. He gave a presentation on Discovery Charter School and what Discovery Charter School can offer the District. The school has been in existence for six years. There are 571 students enrolled which is the maximum allowed at their site.

They receive close to 700 applications each year for 82 openings.

They are here tonight because they have had a tremendous amount of encouragement to open an additional site from parents that have not been able to get into their school.

Philosophy: Involve students in their own learning.

Small groups and individualize education as much as possible.

Incorporate parents in order to meet the needs of students in the small groups and also working with students one on one.

Extensive parent training is the key to effective parent participation.

What Discovery Charter can provide for San Jose Unified:

They have a reading intervention program called the Barton reading and spelling system which specifically addresses phonemic awareness.

They provide one to one tutoring by trained parent and community volunteers for students who lack phonemic awareness skills.

Discovery would provide training in the program at no cost whether or not their proposal to become a charter of the District is accepted.

Parent participation program:

They are trained by using a program called Santillanas into English.

The parents work with children in groups of two or three students

It has been particularly advantageous for children who are English Language Learners to develop their language skills.

The Special Education model is successful.

Approximately 12 percent of the school's population is on IEPs. The model used is called The Learning Center. It is an integrated approach to Special Education service delivery. Instead of a child being pulled out at different times for resource support, speech support and occupational therapy, the specialists work together to provide integrated services for the student.

Counseling services are provided by a full time counselor that works with Special Education students and other students.

Positive discipline is a hallmark of their program.

Parents are trained in positive discipline.

The positive discipline course is also offered in Spanish.

Trainer of trainers courses so that they can train more parents to become positive discipline trainers.

The Mindful Moments program that teaches kids how to pay attention has been incorporated as a pilot. It has been used in San Francisco with success in reducing their suspension rates and behavior problems.

Discovery Charter School has 17 classrooms using the program. It greatly increases their ability to focus. It has been particularly effective with students who have ADD or ADHD.

Professional development for teachers:

Thinking Maps

Kagan Structures

Positive discipline

Rosetta Stone

Discovery Charter would be willing to share all of these with the District.

Speaker: Jean Ann Tulloch, Parent, Discovery Charter School

She has been working on the curriculum/program exploration. They started out as a committee identifying what it was that they wanted for their children. A lot of it focused around parent involvement. What drew a lot of parents to trying to start a second school was the opportunity to be there in their children's school and to participate in a very meaningful way. They also thought about the idea of preparing their children for the 21st Century learning and looking at innovation, problem solving, creativity, all of those types of abilities that they would need as they grow into a very quickly changing world.

Mrs. Foley: "That is the 10 minutes that was agreed upon prior to your presentation. There are two other individuals who would like to speak under public hearing and then will open to questions of the Board."

Speaker: Amintha Petersen, Grandparent, Discovery Charter School

Her granddaughter is in third grade at Discovery Charter School. She has been very impressed with the philosophy of Discovery School. She retired two years ago and wanted to give back to the community so she decided to volunteer at Discovery school. She joined the Spanish positive discipline program and teaches Latino parents how to discipline their kids in a positive way. It has been very successful and they are very excited. She noticed the parent participation is wonderful. She has had some problems with behavior with her granddaughter at school and at home. She was kind of behind last year in reading and writing. Thanks to the parent participation program and the teacher and the

principal they were able to get together and found out that her granddaughter has dyslexia. The school is helping her and she is doing much better.

Speaker: Jen Thomas, President, SJTA

Ms. Thomas represents the 1,700 members of the San Jose Teachers Association. She encourage the Board "to take the lessons that Discovery has shared today as their petition is considered the importance of parent participation, resources for small group and one to one tutoring, on-going and regular professional development and really think about how we can apply that to the talented and excited and passionate teachers and educators we have in San Jose Unified right now. We would love to speak with our parents who can afford to participate and help those who work full time integrate in our communities. We would like to offer resources to our educators so that more one to one student work, more small group instruction and more frequent and meaningful collaboration and professional development are possible. San Jose Unified Educators are the heart and soul of their communities and with the focus of Opportunity21 and the focused and abundant resources that are clearly being devoted by charter schools like Discovery we won't have to tear our schools and our community apart leaving our most vulnerable parents and students behind."

Questions from the Board:

Mrs. Foley announced, "This is an informational hearing so we will hear the staff's presentation and will vote in February."

Mr. Garcia said he would like to reserve his questions until after the Board receives the report.

Mrs. Lewis asked what time the school day begins and ends.

Mr. Jones: The school day starts at 8:20 a.m. for middle school students and 8:30 a.m. for K-5 students. The school day ends at 3:05 p.m. for all students. Early dismissal is at 1:15 p.m. on Wednesdays for all students. Staff meetings are held on the early dismissal days.

Student Board Member, Anni Guptill asked if Discovery School has afterschool activities for the K-5 and middle school students.

Mr. Jones: They have a large variety of after school classes. They have a YMCA program and a sports program.

Ms. Castellanos asked where the school is currently located and what the ethnic makeup of the school is.

Mr. Jones: The school is currently located in west San Jose in the Moreland School District. The ethnic makeup is about 40 percent Asian, 30 percent white, 20 percent Latino, then a mix.

No further discussion.

Mrs. Foley closed the Public Hearing at 6:23 p.m.

V. Announcements and Reports

1. Announcements and Reports by Board Members, Student Board Member and Superintendent (D)

Board members may report on visits to schools, conferences and meetings attended and items of interest to the public.

Minutes

Student Board Member, Anni Guptill on behalf of herself and Shane Kim welcomed Mr. Stephen McMahon in his new position, and congratulated Ms. Jen Thomas as the new San Jose Teachers' Association President. The Intra-District Leadership Council has not met since the last Board meeting.

The next ILC meeting is planned for January 30th at the District Office. High school and middle school students interested in participating can talk to her or Mr. McCloskey after the meeting. She announced that Shane is not at the meeting tonight because he is presenting at Pioneer High School's recruitment night. She announced that Shane applied early to Yale and he got in. "Congratulate him when you see him."

Ms. Castellanos reported that she attended the kickoff for the yearlong celebration of San Jose High School's 150th anniversary. She said it was a beautiful event that focused on the graduating classes of the 1930's, 40s and 50s. She commented that 150 years ago the emancipation proclamation was issued and Lincoln was President. That is a lot of history in one school that has produced teachers, doctors, mayors, city council people, board of supervisors, and school board members. There will be many events during the year and she will bring announcements in the future.

Mr. Garcia will submit his report in writing.

Mrs. Lewis reported on her attendance at the CSBA conference and the workshops that she attended which included: Charter School responsibilities under Prop 39, School finance, School facilities management for school board member participation, Building an effective team when a new member joins the team, Going from good to great as a trustee. She also attended a table talk discussion in regard to school districts that have had charters bring a petition to their board. She has provided the information she received to Dr. Matthews and to Mr. Willis. She will submit the rest in her written report.

Mrs. Engel announced that Castillero Middle School would have a concert this Saturday in connection with San Jose City College to raise funds for their orchestra program. It is an annual fundraising event that has been held for six years and has yielded a lot of funds to help with their instruments, music and quality instruction. The Los Alamitos Kindergarten class learned a new word when they returned from the break. It is called 'landscaping.' They have new tanbark so they are not coming in all dusty and dirty from playing outside. That was quite a success for them.

Dr. Matthews reported on the California Collaborative for School Reform that was held here in this room a week ago. About 50 members, superintendents, researchers and reformers were here for two full days discussing 21st Century skills and opportunities to close the opportunity gap. It was definitely a spirit filled meeting with a lot of passionate debate. There was agreement that this District is on the right track. It was good to get affirmation from a number of key representatives from around the state letting us know that we are headed in the right direction. He will submit the rest in writing.

Mrs. Foley congratulated both Willow Glen High School and Lowell Elementary School for receiving the Project Cornerstone Asset Champions Award for a caring school climate that will be awarded at the end of March. She said, "It is a wonderful opportunity for these two schools to be highlighted and to show what a wonderful campus they have and how the community embraces them. And also how the teachers, the students, and the parents all work together to build a better school for our children. It is wonderful that Project Cornerstone is awarding two of our schools this year." She also invited everyone to two upcoming fundraisers. Next week River Glen School will be showing the movie, "Women on the Verge of a Nervous Breakdown." Proceeds will benefit River Glen School. The following day is the all you can eat crab feed that benefits the performing arts booster program at Willow Glen High School and Middle School. Sign up for both of those on the respective schools websites.

VI. Oral Petitions

1. Persons wishing to address the Board of Education must fill out a Citizen's Request to Speak Card and bring it to the Board Secretary. (D)

This portion of the Agenda provides an opportunity for members of the public to directly address the

Board on any item of interest to the public; however, provisions of the Brown Act [Government Code 54954.2(a) and .3] preclude any action being taken on any item not appearing on the posted agenda for action. A CITIZEN'S REQUEST TO SPEAK card must be completed and given to the Board Secretary prior to the conclusion of Oral Petitions. Members of the public who wish to speak during the discussion of an item on the posted agenda must indicate the item number on the CITIZEN'S REQUEST TO SPEAK card. Time limits are two minutes at the discretion of the Board President.

Minutes

Oral petitions opened at 6:31 p.m.

Speaker: Terri Gurahoo, Parent, Graystone Elementary School

Ms. Gurahoo thanked the Board for the opportunity to speak. She thanked them for responding to her communications. She was asked by the parents at Graystone to come as their representative to speak to the Board on behalf of the students and the parents regarding the handling of the interim Assistant Principal position. When they returned to school last week after the holiday they were advised by Mr. Darin McDonald one of the second grade teachers that he was stepping out of his classroom into the Assistant Principal position that was vacated by Alison Long who moved into the Principal position on an interim basis as a result of Priscilla Spencer's departure in December. Alison joined Graystone at the beginning of the year, having come from Simonds. Mr. McDonald joined Graystone as a result of coming in just this year into a second grade position. Both of them have not been at Graystone for a full year. "While we understand the importance of at least one of those administrators being in there that might be new, it is our concern, and there is a significant risk, that there are two of them that are new to their roles. Graystone has the second largest student body of the elementary schools in the San Jose Unified School District. The test scores for Graystone have been trending downward. Given the size of the student body we would expect to see somebody a little stronger than that. We hope that you will take that into consideration and we appreciate your concerns for that."

Speaker: Lori Yang, Parent, Graystone Elementary School

Ms. Yang: "I am here on behalf of parents and 30 children to express our outrage over the way you have handled filling the Assistant Principal position. When our children returned from holiday break discovered they had no teacher. You had decided to pull our teacher out of the classroom to fill the part time interim principal position. These little changes were big to the children. The impact on the kids became obvious as we watched them come out of class. They were definitely a changed group of students. Mr. McDonald has been a great teacher. The classroom has been a relaxed and fun environment. Our children have really excelled. To take a teacher out of a classroom midyear when not necessary is not acceptable to us. Considering no one knew who our Assistant Principal was or exactly what their job was I don't believe it is necessary or worth the damage this will cause to these 30 kids. You say that you have begun your search for Mr. McDonald's replacement. You should have someone ready for the position by now. Some of these same children finished the last half of Kindergarten with multiple substitute teachers. We urge you to consider these 30 kids who have been overlooked and find someone else to be interim Assistant Principal until summer when Mr. McDonald has completed his obligation to his students. We as parents will be happy to wish him well and support him as our Assistant Principal."

2. Oral Petitions from SJUSD Bargaining Group Presidents (D)

Each SJUSD bargaining group president is given five minutes to address the Board of Education. A CITIZEN'S REQUEST TO SPEAK card must be completed and given to the Board Secretary prior to the conclusion of Oral Petitions. Bargaining group presidents who wish to speak during the discussion of an item on the posted agenda must indicate the item number on the CITIZEN'S REQUEST TO SPEAK card.

Minutes

Speaker: Jen Thomas, President, SJTA

Ms. Thomas wished the Board a happy new year and said it was a pleasure to be standing here in her new capacity as SJTA President. "SJTA would like to offer its congratulations to Mrs. Engel and Ms. Castellanos and welcomes the returning Board members in the new year. Thank you for the time and energy that you devote to our community. We would also like to welcome Mr. McMahon to this side of the dais and congratulate him on his new position. Thank you from all of your members for the appointment of a former teacher and voracious public education advocate to the position of CBO. With the Governor's new funding proposals it is an exciting time for all of us, simultaneously fraught with unanswered questions and incredible opportunity. Your employees heard a powerful message from you, that you trust the voice of teachers and are willing to think a little differently about how we achieve our shared goals. I would also like to say how much we are looking forward to the joint bargaining sessions upon which we will vigorously embark again tomorrow. I know that our work together will be productive, fruitful and undoubtedly revolutionary. SJTA would like to thank both Jason Willis and Nancy Albarrán for managing the transition of District personnel smoothly and for ensuring that our goals continue to stay focused where they need to be, our shared responsibilities to students, employees and families. I would like to take a moment of personal privilege to ask the Board to recognize the leadership and the thoughtfulness of Jackie Zeller in Curriculum and Instruction for her assistance and support during this transition. It was important to her and to me and to the team to ensure that our programs serve our students and they have behaved as utmost professionals and as supportive colleagues and friends. I have been in this position for two weeks now so I am certain I am fully prepared to answer your questions and address your concerns. Please contact me if I can be of any service. I am sure you will be hearing from me. Thank you so much."

Oral petitions from SJUSD Bargaining Group Presidents closed at: 6:37 p.m.

VII. Minutes

1. Approval of the minutes of the Regular Session Meeting held December 13, 2012. (D) (V)

Minutes

The minutes of the Regular Session Meeting held December 13, 2012 were approved as submitted.

Motion made by: Veronica Lewis

Seconded by: Sandy Engel

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes
Pam Foley	Yes
Rich Garcia	Yes
Veronica Lewis	Yes

VIII. CONSENT CALENDAR - Items VIII.A.1 - VIII.F.1.6

1. Consent Calendar Items VIII.A.1 through VIII.F.1.6 (V) (C)

All Agenda items listed under the Consent Calendar will be enacted in one motion. There will be no discussion of these items prior to consideration of the motion, unless a member of the Board of Education or the Superintendent request that an item be removed from the Consent Calendar.

Minutes

All Consent Calendar items were approved with the exception of item VIII.B.1 which was pulled by amendment to the agenda.

Motion made by: Rich Garcia

Seconded by: Sandy Engel

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes
Pam Foley	Yes
Rich Garcia	Yes
Veronica Lewis	Yes

A. Superintendent & Human Resources - Consent

1. Acceptance of Gifts (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education accept, with thanks, the gifts to the District as specified.

2. Administrative, Elementary/Secondary Certificated Personnel Actions and Personnel Services (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve the Administrative and Certificated Personnel Actions as specified.

3. Classified Human Resources Personnel Actions (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve the Classified Human Resources actions as specified.

4. Non-Regular Hourly Employment Agreements for \$25,000 or less (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve the Non-Regular Hourly Employment Agreements for \$25,000 or less as specified.

5. Short-term Limited Services Agreements (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve the Short-term Limited Services Agreements for \$25,000 or less as specified.

6. New AFSCME Job Description (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve the new AFSCME job description for the Student Technology Specialist position.

7. Revised SJAA Job Description (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve a revised job description for the administrative position Supervisor, Technology Services.

Budget Source: Unrestricted General [Fund 031]

B. Board of Education - Consent

1. Amendment to Board Policy 3100 – Business and Noninstructional Operations – Budget (2nd Reading) (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve the proposed amendment to Board Policy 3100 – Business and Noninstructional Operations – Budget.

Minutes

Item VIII.B.1 was pulled from the agenda by amendment.

2. Amendment to Administrative Regulation 7214.2 – Facilities – Citizens’ Bond Oversight Committees (2nd Reading) (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve the proposed amendment to Administrative Regulation 7214.2 – Facilities – Citizens’ Bond Oversight Committees.

C. Division of Instruction - Consent

1. Approval of Field Trips (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve the field trips for elementary and secondary students as specified.

2. Independent Contractor Agreement with KnowledgeQuest Learning Center (ACTION)

(V) (C)

RECOMMENDATION: That the Board of Education approve an Independent Contractor Agreement with KnowledgeQuest Learning Center in an amount of \$59,664 to provide NCLB required supplemental educational services at Canoas, Grant, and Olinder Elementary Schools, Bachrodt Charter Academy, and Gardner Academy during the 2012-13 school year.

Budget Source: Title I Supplemental Services [Fund 061]

3. Independent Contractor Agreement with The Regents of the University of California, Berkeley (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve an Independent Contractor Agreement with the Regents of the University of California, Berkeley in an amount not to exceed \$64,500 to provide two full time recent UCB graduates as College Advisors for 9-12 grade students at Lincoln and Willow Glen High Schools during the 2012-13 school year.

Budget Sources: Unrestricted General [Fund 031]
 TIIG [Fund 032]
 CRIS [Fund 061]
 Leo Shortino Grant [Fund 061]
 LEP [Fund 061]

4. Amendment to Master Contract with Creative Learning Center [NPS] (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve an Amendment to the Master Contract with Creative Learning Center, NPS to an amount of \$181,000 rather than \$140,000 for educational services provided to special education students during the 2012-13 school year.

Budget Source: Special Education [Fund 062]

5. Amendment to Master Contract with Alphavista Services, Inc. [NPA] (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve an Amendment to the Master Contract with Alphavista Services, Inc. to an amount of \$444,000 rather than \$114,000 for educational services provided to special education students during the 2012-13 school year.

Budget Source: Special Education [Fund 062]

D. Community Engagement & Accountability - Consent

1. Amendment to Independent Contractor Agreement with Leland Stanford Junior University

School of Medicine (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve an amendment to the Independent Contractor Agreement with Leland Stanford Junior University School of Medicine at no additional cost to the District to expand the scope of the evaluation work and to extend the contract end date to December 31, 2013 rather than December 30, 2012.

Budget Source: Unrestricted General [Fund 031] No additional cost to the District

E. Administrative Services - No Consent Items**F. Independent Contractor Agreement - Consent****1. Independent Contractor Agreements \$25,000 or less (Items VIII.F.1 - VIII.F.1.6) (ACTION)**

(V) (C)

RECOMMENDATION: That the Board of Education approve the Independent Contractor Agreements in the amount of \$25,000 or less as specified.

END OF CONSENT CALENDAR**IX. ACTION ITEMS & REPORTS****A. Superintendent - No Action Items****B. Board of Education - No Action Items****C. Division of Instruction - Action Items****1. Report by Ms. Nancy Albarrán, Assistant Superintendent, Division of Instruction**Minutes

Ms. Albarrán reported that the middle schools and high schools are actively engaged in the recruitment from fifth grade and eighth grade families. They are busy showcasing their programs and highlighting their exemplary teachers and campuses. They will be recruiting during January and February. In addition to that Student Assignment and the Enrollment Centers are now ready to move the enrollment process online for school choices that was piloted last year. The response was very positive. The accuracy of the information was great because the applications did not have to pass through so many hands to get here. All fifth and eighth families will be participating in the enrollment process this year. For families that may not have accounts the department has worked diligently to identify who those families are. They will send instructions in their language and provide some training and access to computers in the different schools in their areas to ensure that everyone has access to do this process and that there is support available. "We are really excited once this process is over to see what kind of result we get and we are confident that our families are going to be really happy about expediting this process."

Mrs. Foley asked when the enrollment ends for secondary and starts and ends for elementary.

Ms. Albarrán: The window for secondary school choice selection is January 22 through February 7th.

Mr. Bob Gonzales: The enrollment period for elementary begins on February 4th.

Mr. Garcia said, "As long as I have been on the school board we have always had fairly aggressive recruitment particularly for the high schools and it has involved everything from postcards to inviting parents and students on campus. Some of the high schools have gone to some of the Catholic schools." His concern is about the importance of doing recruitment given the charter schools and what

is being done in terms of recruitment that maybe hasn't been done. He asked how it is being done and if there is a need for more personnel or more of a District effort.

Ms. Albarran: "It has been site driven. That is part of the problem. We need to be able to respond to some of the challenges that we are up against. We have had some discussions in our division about how to systematize some of the approaches so that every school is strategic about what they are highlighting and that the public can see the high quality programs that we have. We are very competitive in what we can offer. It is just that we need to pay more attention to what we have and showcase that to families. It is a good challenge to be faced with because it will help us really look at our programs and improve on the things that we need to improve upon. But also to share more about what is happening in our schools with people that are interested."

Mr. Garcia: "We have some administrators who are excellent at this. It is a great idea to get some leadership from the District getting people together to standardize how we do this a little bit more. To see if there are some resources here at the District Office in terms of technology or any other way that we may be able to support the effort. I agree, we are competitive and we just need to make sure that our community knows what a wonderful school district this is and we may not be dealing with as many charter schools in the future as we are."

Mr. Willis: "We do have some efforts here at the District Office. We are going to be bringing together in the near future a set of diverse stakeholders including central office to look at some of the efforts of some our schools, Washington Elementary in particular has already initiated in terms of what I would call very aggressive recruitment of students. Obviously the projected declining enrollment that you heard about from Ms. Jones in December is a concern of ours and something that these efforts both as we look at from a central office perspective what schools are doing to recruit students and that we would want to spread to other schools across the District. That is getting started and a lot more is to come, but Washington is already well on the way to some of those more aggressive recruitment efforts."

Mrs. Lewis asked if a marketing plan was being used and if District Office support was being provided. She asked what was expected of high school principals regarding recruitment to their schools. "I know they are having tours coming up. I just got a pop up on a Yahoo group from the neighborhood from a charter school inviting people to come to their thing and I forwarded it to the high school principal because I wanted him to be aware of it." She also wanted to find out about the recruitment tours but they were not listed on the website. "Do you give instructions at all as to a template to use or how they should be promoting their tours and that type of thing?"

Ms. Albarrán: "In that particular area we have not paid as much attention as we could have to handling the recruitment differently. Depending on numbers at schools, some schools such as Gunderson have been doing a lot of work around that and their numbers have been getting better. We are not at a place where we are doing it. We are having open discussions about how we are going to drastically improve this process. It is an area of growth for us."

Mrs. Lewis: It sounds like you and Jason are collaborating about how we can improve this. I would add another suggestion that I could forward a message to Jason regarding some ideas. One, expanding on the use of technology but also to take into consideration that we have neighborhoods that have a lot of homeowners associations that do send out newsletters on a regular basis and they have their own websites and facebook, Yahoo groups would be a place to put announcements of Pre-Kindergarten and that type of thing. We could tap into something that is already there."

Mrs. Foley : "It is important for us to use all of the tools available. Sending out postcards is a really old fashioned and expensive way of communication. Viral media, social media is the way to go. That message goes out very quickly. If we embrace that, Washington ground zero every other place that we can use social media. It's free. It's quick and the message gets out there so fast and the response is amazing. We ought to be taking advantage of that. If you need people to just pick their brains who are experts in social media that's how they do their marketing, I can give you some names of dads

and moms who send their kids to our school who would be interested in sitting down and talking about how they can help."

2. Amendment to Master Contract with Spectrum Center Schools [NPS] (ACTION) (D) (V)

RECOMMENDATION: That the Board of Education approve an Amendment to the Master Contract with Spectrum Center Schools to an amount of \$606,000 rather than \$500,000 for educational services provided to special education students during the 2012-13 school year.

Budget Source: Special Education [Fund 062]

Minutes

No discussion.

Motion made by: Veronica Lewis

Seconded by: Rich Garcia

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes
Pam Foley	Yes
Rich Garcia	Yes
Veronica Lewis	Yes

D. Community Engagement & Accountability - Action Items

1. Report by Mr. Jason Willis, Assistant Superintendent, Community Engagement and Accountability

Minutes

There was no report from Mr. Willis tonight.

E. Administrative Services - Action Items

1. Report by Mr. Stephen McMahon, Chief Business Officer, Administrative Services

Minutes

Mr. McMahon began by expressing his thanks to Ann Jones for her professionalism and support during the transition. "Ann served this community for a long time. That stability and consistency makes the changes that are always challenging that much more challenging." He also thanked his entire staff for their professionalism and commitment during the transition process. He said, "They have been great to work with and they have made me feel very welcome. We are off to a good start." He also thanked the San Jose Unified community for their confidence and trust. He thanked the Board for this opportunity and said, "I am very honored to be sitting up here and serving you and I am also very conscious of how different my role is now. I am fully committed to the success of the District and the well being of San Jose Unified as a whole. I know that while we are here I need to provide you with information that empowers you to represent your constituents and to help you do that job well. With that in mind my first report is going to be on what is a hot topic in California, the Governor's budget."

Mr. McMahon's presentation on the Governor's 2013-2014 budget.

Context:

The governor's proposal is the first step in a months long process to be completed by June 15th. Proposal includes the biggest change to school funding since revenue limits in 1972.

Bad News:

Prop 98 funding was \$56.6 billion in 2007-2008 and it is proposed to be \$56.2 billion in 2013-2014.

Revenue limit deficit factor remains at 22.272%, a historic high
K-12 spending per student in CA vs. the national average is the worst it has been in 40 years.

Unknown:

Local Control Funding Formula (LCFF) requires legislative action; through budget or legislation?
Full implementation of LCFF would not be until 2020 – 2021

"If you tried to calculate it on your own, you couldn't" – because statewide averages and numbers are needed

Good News:

For the first time in five years, LEAs will see an increase in funding per student

No LEA to receive less funding than its 2012-2013 level during a transition to the LCFF

Governor's approach aligns with SJUSD's vision and mission – The Governor is looking at budgeting and funding schools with an equity mindset.

Discussion/Questions:

Mr. Garcia asked if the LCFF is the same as the weighted student formula that the Governor talked about last year?

Mr. McMahon: "Last year he called it the weighted student formula. After a lot of negotiation with stakeholders and public education he has changed it to the Local Control Funding Formula. The concept is very similar. There have been some changes since last year but it is the same idea. There is no longer a weighted student formula. It will all be LCFF going forward."

Mr. Garcia: "Did Career Technical Education (CTE) come off of that, or is it still part of the formula?"

Mr. McMahon: "Career Technical Education is still valued by the state. Adult Education would change dramatically with the Governor's proposal. All adult education funds would shift to the community colleges. The District would receive, as he promised no cuts to what was received in 2012-13. The District would continue to receive adult education funding, but it would be completely unrestricted. It would be part of the District's base funding package. The community colleges would receive a new \$300M to fund adult education.

Mrs. Foley asked if the goal is for the Community Colleges to pick the adult education piece.

Mr. McMahon: "Under the Governor's proposal the community colleges would assume all responsibility for adult education."

Dr. Matthews commented, "Previously it was seen as who is going to win and who is going to lose. A big part of his proposal now is that no LEA will receive less funding so hopefully everyone sees themselves as winners."

No further discussion.

2. Agreement with the City of San Jose for the Development and Operation of Sports Fields (Allen at Steinbeck) (INFORMATIONAL) (D)

INFORMATIONAL: That the Board of Education review the agreement authorized by the City of San Jose for the Development and Operation of two sports fields with synthetic turf, lights, parking lot, restroom building, and other appurtenances for a joint use term of 25 years.

Minutes

Mr. McMahon asked to give a little context as to why this item is coming to the Board as an informational item again. He explained that changes have been made to the contract so it has been brought back as informational for the Board to see in its entirety before voting on it at a subsequent meeting. He asked Mr. Matt Cano to attend because he has information to share with the Board. The goal is to make sure that the Board has complete awareness around the project before taking final

action.

Speaker: Matt Cano, Deputy Director, City of San José, Parks, Recreation, & Neighborhood Services
Mr. Cano thanked Stephen McMahon and explained to the Board that he and Mr. McMahon had discussed this project in depth last week. Their discussion led to him sharing this item with the Board today.

Update: There have been discussions about the future names of the soccer fields. Because of the extremely generous donation of over \$4 million that is going to the fields from the donor who is anonymous at this time, the City would like to recommend naming the soccer fields after this donor for the life of the agreement. Naming the facility after a donor who gives such an amazing donation is aligned with the City of San José naming policy. However, the school district's policy does indicate that no school facility shall be named for a living person. While the donor wishes to remain anonymous for now, Mr. Cano would appreciate receiving feedback regarding this proposal from the Board tonight. If the feedback from the Board is positive, prior to the Board actually approving the name of the facility they would be aware of the donor's name. He thanked the Board for their time and appreciates any feedback that they have.

Mrs. Foley: "It is really difficult for me as a Board member to say that I would agree to naming rights in that capacity without knowing ahead of time who that person is. So to authorize the City or enter into some sort of agreement that says we would agree to allow the fields to be named after a living person, but not have any say as to who the person is takes away my ability to understand whether it is a person who we believe is of high character and ethics and someone who would be a role model for our kids who are playing on those fields. Are you asking us to approve in concept and you will bring back the name?"

Mr. Cano apologized and explained that he was not asking for any approval in concept or officially. He just wanted to hear feedback. With the feedback he would work with Stephen McMahon and the donor to determine next steps on the project.

Stephen McMahon: "We wanted to make sure that the Board is aware of this before taking action and that it was clear that the donor was thinking along these lines. So that there was clear communication throughout before we got to the Board approving it and then the donor coming forward with a request."

Mrs. Lewis: "The naming of the facility is referenced in the contract. We have a Board Policy that governs how District facilities are named. If the stipulation is that in order to get an agreement and have this donation that the person who is donating has to be the name of this facility and that would be part of this contract, it is not included in this informational item. Am I to understand you want clarification as to whether or not that is a possibility?"

Matt Cano: "I would love that clarification but it is really up to you. The important thing was to make you aware of this item tonight and if there is any feedback you have, we would then take that under consideration before we work with your staff to make any formal recommendations to you in the future."

Mr. McMahon: "The reference to the naming of the field is on page 8, paragraph n, it states, "in accordance with established District and City policies.""

Mrs. Lewis: "If our Board Policy 7310 has the stipulation that no facility shall be named for a living person then, it isn't possible."

Mrs. Foley: "We would have to waive Board Policy for that purpose."

Mrs. Lewis: "I wouldn't want to make a commitment to say yes we would indeed say that the fields would be named after whoever is donating the money. I realize there is leeway in here but that is not the way we have done things, at least not for the past 18 years that I've been on this Board. I do

know there was considerable thought on whether or not we should name a couple of fields and buildings. There was one building at Leland that we named after a person. It is a minor thing to me. I have more important things that are of concern to me other than the naming of the field. I certainly do want to say I do appreciate the person whoever this is donating this amount of money. It is a staggering amount of money and it is something that is very special. I do recognize that and I do appreciate it. I am that one Board member that has had concerns all along. Thank you for the improvement on the field drawing. It did help a lot."

Additional Concerns:

"There are additional attachments that weren't in the original. Every time we get something from the City there are things added, which makes it more difficult to look at the final agreement. The hazardous materials information was not included with the original informational item at the last meeting. This one has several more attachments.

I don't see the changes for the improvement that I thought we should have and I sent another memo to Dr. Matthews, Steve Adamo, Amy Ruffo and Stephen McMahon about some statements that are made in this contract regarding the section 1 Purpose and Objectives of the Agreement, 'The City shall provide for design, construction, administration, supervision and maintenance use and funding to upgrade athletic fields with artificial turf, support amenities including sports lighting, restrooms, storage, etc.

On page 9 under section 5 Maintenance and Repairs and utilities and sports fields, 'the City shall be responsible for capital maintenance' they will be responsible for routine use, but there is another part that says that the steering committee will decide on the guidelines that are not yet developed for maintenance. Do we not have maintenance guidelines for facilities currently? My concern is if we don't say right off hand either the City is responsible or the District, then when you go to this committee they could develop a plan that says that we are responsible which is then going to cost more money and would be more responsibility. The way I read this, the City is saying they are responsible for the capital maintenance and routine maintenance. That is where it states that the steering committee will within six months develop the Districts standards regarding that. Am I interpreting that right, that it will open it up for the District being responsible rather than the City?"

Mrs. Foley asked Mr. McMahon to give the Board a little background on the steering committee and how he sees it running.

Stephen McMahon: "This is actually one of the changes that was made to the prior agreement. We worked closely with Matt and the City agreed to make sure that the committee has equal representation and that it could change as necessary so the new language says, 'including but not limited to.' One of the reasons the change was made is that this is potentially a 25-year agreement if the Board approves it. What could be needed in terms of maintenance over a 25 year period could change. Steve Adamo can address the District's current maintenance requirements that are in place now. But in the future the goal is to empower a committee with equal representation appointed by the Board to make adjustments as necessary. If for example in year 12 we change our own internal maintenance agreements, the steering committee would then work with the City to adjust for this project accordingly. Locking them in now for the life of a 25 year agreement prohibits the flexibility, so the agreement with the City was to make sure the steering committee could review this and adjust accordingly."

Steve Adamo "The first two sentences in that section A are what govern and that will not change. The City is and will always be responsible for capital and routine maintenance. The part about the steering committee is determining, as Stephen mentioned, whether the standards would change and they would only change for the better. The minimum would be the second sentence where it says 'routine maintenance shall be conducted pursuant to District standards.'

Stephen McMahon: "And for the life of the agreement, the District's contribution is capped."

Additional Concerns:

Mrs. Lewis: "On page 10 under B the District shall pay the cost of utilities serving the sports field up

to the amount not to exceed \$36,000. Utilities include water, gas, sewer, electric, garbage pickup and trash removal. It appears that we are agreeing to pay electricity. Does that mean we are paying for the lighting up to \$36,000? Why would we spend money on paying for lighting for games that we are not receiving any revenue from? I realize we are getting the sports fields and it is a lot of money. But we are talking about 25 years that we are going to be paying up to \$36,000 for use of fields that are only getting 20 days of use the whole year. Why is there not a separate PG&E meter for the lights?"

Mr. McMahon: "There will be separate metering of the lights. The reason for the \$36,000 figure is that is what the District currently spends to maintain this property. The agreement with the City is that they are making a huge capital investment. We will benefit from that capital investment because our students will have use. We will continue the contribution we already make, capped at that amount for the next 25 years. We incur no additional costs. The Board is weighing whether or not that capital improvement is worth the ongoing cost we are already paying. If we did nothing we would continue to pay roughly that amount to maintain the fields. If the lighting bill is \$50,000 per year, the City is responsible for the full \$50,000 and we would be contributing \$36,000 for any utility costs. It is not specific to one bill. It is the contribution we currently make and we would continue it."

Mrs. Foley: "And then beyond that the City pays?"

Mr. McMahon: "Everything beyond that. If it costs a half a million dollars to run it, we contribute \$36,000 and Matt has to find something in his budget."

Steve Adamo clarified that the reason the District took that approach was that it is the easiest approach to manage. "Rather than us saying we will do the field maintenance and pick up garbage we will just write a check."

Stephen McMahon added that it ensures cost containment for the life of the agreement.

Mrs. Lewis - Additional Concerns:

"The parking lot - It is about safety and it is about the Ed Code. When planning a facility there are requirements that certain things be done. In this case you want to stick a parking lot in an area where it is not a designated parking lot. It was not poured to be a parking lot. In putting in a proper foundation for a real parking lot would there be an effect on the existing pillars we have for our use? The bigger issue is the parking lot safety issues in opening up that side to a driveway where cars are going to come and go. Kids are coming and going. My point is, if we didn't design the school to have a parking lot in the first place and there are guidelines I am assuming now because you are still recommending to do it that it falls under the Ed Code requirement and that wasn't under the waiver that they got to not do a CEQA. Are we ok in the fact that we are putting in a parking lot there where it wasn't supposed to be?"

Steve Adamo: "Yes, absolutely."

Mrs. Lewis: "The other issue is the starting time: Operation of fields between 4 and 10 p.m. on weekdays, 7 a.m. and 10 p.m. on weekdays during they year. There is also during the summer and school holidays, which is during the school year. It is being proposed for the City to schedule games beginning at 7 a.m. I am assuming getting on the field at 7 a.m. and 10 p.m. seven days a week. To me that is an issue. That is an environmental impact. It is an issue to the neighborhood. The wear and tear on the facility as well as the turf to have the open end agreement that the City will for 25 years have access to both fields from 7 a.m. until 10 p.m. We don't have any schools that allow anyone to go on before 8 a.m. unless there is a specific request."

Mr. McMahon: "This is another amendment that was made. The City agreed to make this change. I thought it was really important because of the length of the agreement and we are going through a redesign process internally. The new language empowers the steering committee to mutually agree to change the times and days if they deem necessary. If we do realize that 7 a.m. is a problem and

there is good data to back that up the City has agreed that the committee would be empowered to make those adjustments. That would come back to the Board with the adjustments. In the previous agreement it was much more restrictive. Now the steering committee could if after a couple of experiences 7 a.m. presents a problem they would work with the District to make those adjustments.

Mrs. Lewis: "Why would we put 7 a.m to begin with?"

Mr. McMahon: "The City projected out what they need to have the facilities available for to run this financially on their end."

Mrs. Lewis: "I am talking about equity now at our middle and high schools. We don't allow everybody that is using all of our high schools to come in at 7 a.m. Why would we allow this field to have it, just because the City is doing it? Aren't we obligated to provide that same timing to all of our schools?"

Mr. McMahon: "Currently the sites do have a lot of flexibility and we do have schools that start as early as 7:20 a.m. with students arriving on campus at 7 a.m. A first period P.E. class is going on. Field use happens as early as 7:20 a.m. Whether or not we are starting at 7 a.m. is certainly something that you would have to decide as a Board whether that should be part of the contract or not. The City has its reasons for putting it in."

Mrs. Lewis: "One of the biggest complaints I heard as trustee of that area is the starting time at 7 a.m. for Pioneer. We don't have enough money to provide the routes of the bus schedules for the way it could be the best for our students. We have to combine them. Therefore we have to have some schools start early. That is different than allowing people to come on and play sports that in some cases aren't even our students. We are talking about two different kinds of activities."

Mr. Adamo: "The intention here and perhaps we could add some language to make it more clear is that they want to start their games at 8 a.m. but because it is a contract that provides for access to the site, in order to make sure they are conforming to the contract terms we have to allow them access at 7 a.m. so they can actually start pulling in the parking lot for set up etc. The intention is not to start games at 7 a.m. The intention is to start games at 8 a.m."

Mrs. Foley: "So they have access to the fields at 7 a.m. but access to the field doesn't mean the whistles are blowing at 7 a.m. because they have to arrive and warm up?"

Steve Adamo: "To give them the legal access to get there at 7 a.m., that is what it is for."

Mrs. Foley: "It sounds like a lot of the issues are around the steering committee. So I appreciate the additional language that you included in our Friday letter about the steering committee and how the steering committee is being formed to take a look at the details and analyze it as we have data to support it. And I am sure, the steering committee, if it turns out that 7 a.m. is too early and that is a problem we will certainly register our concerns and that will come back to us. The same thing if 10 p.m. is too late or if the parking isn't working out. I'm sure there are a lot of things that we can do but the steering committee is the one that we are going to have to put some trust and meat into their agreement as to how they work together. The fact that it is half our representatives and half from the City makes us on equal footing."

Ms. Castellanos left the room at 7:21 p.m.

Ms. Castellanos returned to the room at 7:23 p.m.

Mrs. Lewis: "If this does go through and we do have the steering committee I will be sure to forward any complaints I get directly to you."

Mrs. Lewis: "Another issue, looking at the Exhibit A, field two has the Little League field over in the corner. I understand that you have talked to the President or the Vice President. I am not sure who you talked to but I sent a message to both the President and Vice President informing them of this.

They did not know about these meetings. They did not know about our last Board meeting where there was an informational item. I do not know if he talked to his coaches thinking it is okay for their kids to play on artificial turf. I understand the markings will be permanent on the field for the little league. Since you didn't do a CEQA or any IR there is no mitigation. What are you doing for this little league field that you are displacing? You want to move them back. They are then going to have to bring in a portable mound. Are you giving them anything other than that it will be a nicer playing surface but it isn't going to be the same as playing on regular fields? This is an official little league organization that has been with us for more than 25 years. This is their home field. The parks donated it, Pat Dando. It was either \$10,000 or \$20,000 toward building this field. When we did the relocation of Broadway at John Muir Middle School we had to move a little league field from one side to the other. We rebuilt that field. We put in a snack shack, a bathroom and provided them with bleachers. That was part of the mitigation. Is there anything going to be done for this little league field?

Matt Cano thanked Mrs. Lewis for her question. "We did receive the current reservation information from your team and we do realize that the Oak Grove Little League does use this field and it is within their boundaries. Three or four months ago my team did meet with Steve Selbo the President of Oak Grove Little League on site to tour and discuss the potential project with him. Since then my project managers have been in contact with him back and forth as recently as this week and they have indicated that they are positive about this project.

As far as reserving the field, everyone will receive equal treatment during the reservation process between the soccer leagues and the little leagues. We are not going to be favoring any specific leagues for reservations leading into this project."

Mrs. Lewis: "Since this is their home field, will they continue to have the same number of games there? Are you going to open it to other leagues using that field? That will no longer be their home field?"

Mr. Cano: "From what I understand the little leagues tend to stay within their boundaries so I don't think any other little leagues will be trying to use this field to my knowledge."

Mr. Garcia commented regarding the naming of the fields that he would be willing to make an exception to the rule since this would be done in partnership with the City, especially for that kind of a donation. He said, "I would be open to that but I think you understand that we would like to at least know what that name is before we give the final approval."

Mr. Cano said he appreciates that and that he would take that comment back to the donor.

Mr. Garcia thanked Mr. Cano for the collaboration and for the amount of work they have done in regard to concerns.

No further discussion.

F. Facilities and Construction - Consent - Items IX.F.2 - IX.F.3

1. Facilities and Construction Consent Calendar - Items IX.F.2 - IX.F.3 (V) (C)

All Agenda Items listed under the Facilities and Construction Consent Calendar will be enacted in one motion. There will be no discussion of these items prior to consideration of the motion, unless a member of the Board of Education or the Superintendent request that an item be removed from the Consent Calendar.

Minutes

All Facilities and Construction Consent Calendar items were approved.

Motion made by: Veronica Lewis
Seconded by: Teresa Castellanos

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes
Pam Foley	Yes
Rich Garcia	Yes
Veronica Lewis	Yes

2. Change Order to Contract 1831FA (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve the following change order amending the amount to Contract 1831FA – CalState Construction (Project Z0180).

Project: Burnett Middle School Modular Addition	
Change Order 2	\$ 1,351.50
Summary	
Original Contract	164,777.00
Previous Change Orders	14,242.54
Change Order 2	1,351.50
Adjusted Original Contract Sum	\$ 180,371.04

3. Change Order to Contract 1829C (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve the following change orders amending the amount to Contract 1829C – Horizon Brothers (Project Z0130).

Project Name: Exterior Painting Package #2	
Change Order 2	\$ 28,313.00
Change Order 3	10,260.00
Summary	
Original Contract	379,500.00
Previous Change Orders	11,252.00
Change Orders 2 & 3	38,573.00
Adjusted Original Contract Sum	\$ 429,325.00

Budget Source: State Bond [Fund 211]

END OF FACILITIES & CONSTRUCTION CONSENT CALENDAR

G. Facilities & Construction - No Action Items

X. Student Discipline

1. Student Expulsion Case 2012-13-034 (D) (V)

Following the hearing in Closed Session, the Board will now take final action on this case.

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes
Pam Foley	Yes
Rich Garcia	Yes
Veronica Lewis	Yes

2. Student Expulsion Case 2012-13-036 (D) (V)

Following the hearing in Closed Session, the Board will now take final action on this case.

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes
Pam Foley	Yes
Rich Garcia	Yes
Veronica Lewis	Yes

3. Student Expulsion Case 2012-13-037 (D) (V)

Following the hearing in Closed Session, the Board will now take final action on this case.

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes
Pam Foley	Yes
Rich Garcia	Yes
Veronica Lewis	Yes

4. Student Expulsion Case 2012-13-040 (D) (V)

Following the hearing in Closed Session, the Board will now take final action on this case.

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes
Pam Foley	Yes
Rich Garcia	Yes
Veronica Lewis	Yes

XI. Action Taken in Closed SessionMinutes

Dr. Matthews reported on the action taken in closed session. In Closed Session the Board held student discipline hearings and approved a personnel recommendation.

XII. Adjournment**1. Adjourn the Meeting (D) (V)**Minutes

The meeting adjourned at 7:26 p.m.

Motion made by: Teresa Castellanos
Seconded by: Sandy Engel

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes
Pam Foley	Yes
Rich Garcia	Yes
Veronica Lewis	Yes

2. Next Board Meeting - January 31, 2013

Board President

Board Clerk

San Jose Unified School District Minutes

Created: February 11, 2013 at 02:43 PM

01-31-13 Regular Session Board Meeting

January 31, 2013

Thursday, 06:00 PM

Board Room

855 Lenzen Avenue

(District Administration Building)

Attendees

Teresa Castellanos	Board Member
Sandy Engel	Board Member
Pam Foley	Board Member
Rich Garcia	Board Member
Veronica Lewis	Board Member

CLOSED SESSION AGENDA - 5:00 PM

1. Student Discipline - Student Expulsion Hearings [Pursuant to Education Codes 35146 and 48981] (D)

RECOMMENDATION: That the Board of Education hold a hearing on the attached Student Expulsion Cases to consider the recommendation of the Administrative Hearing Panel to expel the students referenced in these expulsion cases:

- Student Expulsion Case Number 2012-13-039
- Student Expulsion Case Number 2012-13-041
- Student Expulsion Case Number 2012-13-042
- Student Expulsion Case Number 2012-13-043
- Student Expulsion Case Number 2012-13-044
- Student Expulsion Case Number 2012-13-045
- Student Expulsion Case Number 2012-13-046

2. Personnel [Pursuant To Government Codes 54954.5 and 54957.1] (D)

RECOMMENDATION: That the Board of Education approve the following Personnel Items:

A. Public Employee Appointment

Assistant Principal, Middle School, 0.5 FTE
Administrator, Accounting/Budget

- B. Release/Termination/Reassignment/Dismissal
- C. Layoffs/Leaves of Absence/Resignation
- D. Public Employee Contracts

3. Conference with Legal Counsel - Potential Litigation including claims [Pursuant to Government Code 54956.99(b)] (D)

RECOMMENDATION: That the Board of Education consider and approve the recommendation of legal counsel.

4. Conference with Legal Counsel – Existing Litigation (D)

RECOMMENDATION: That the Board of Education consider and approve the recommendation of legal counsel.

Presenting: Ms. Eliza McArthur, McArthur & Levin, LLP
Case Number: OAH 2012090687

5. Negotiations update (D)

REGULAR SESSION AGENDA

I. Call Meeting to Order

Minutes

Board President, Mrs. Foley called the meeting to order at 6:04 p.m.

II. Pledge of Allegiance

Minutes

Alternate Student Board Member, Shane Kim led the Pledge of Allegiance.

III. Adopt the Agenda

1. Adopt the Agenda (D) (V)

Minutes

The agenda was adopted.

Ms. Castellanos announced that Spanish translation is available.

Motion made by: Rich Garcia

Seconded by: Sandy Engel

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes
Pam Foley	Yes
Rich Garcia	Yes
Veronica Lewis	Yes

IV. Special Order of Business

1. Public Hearing - ACE Charter School (D)

Minutes

The Public Hearing opened at 6:06 p.m.

Presentation by: Greg Lippman, Executive Director, ACE Charter Schools

Mr. Lippman said his goal is to show the Board where ACE Charter School fits in to the Opportunity21 Strategic Plan. San José Unified would be a great place for ACE to do some of

the work they do.

He provided the Board Members with copies of his presentation.

Charter Petition Presentation – ACE Charter Schools:

“Close the Opportunity Gap”

High-Impact School Model Tailored to Students Who Need it Most.

Escape the “Tunnel of F’s”:

Student and Family Transformation

Opening the Door to College

“Prepare ALL Students”

ACE: For Struggling, At-Risk Students

Population of Students Served by ACE Charter:

93% Low-Income Latino

55% English Learner

10% Special Ed

Higher Percentage of Far Below Basic/Below Basic 5th and 6th grade students entering ACE Charter than students coming out of the lowest-performing SJUSD elementary schools. ACE wants to be a feeder school for students who are struggling in the traditional system.

“Catch Up ...Then Keep UP”

ACE Culture : (based on three values)

Respect

Pride

Ganas - Spanish word meaning Desire or Effort

High Attendance Rate: 96.3%, Zero Expulsions (zero students expelled since the beginning of last school year)

Connection between School-Family

Board of Directors, Parent Leadership

Hiring, Culture Audit, School Life

Family Participation 2012 (Goal: 75%)

Tracked monthly – the monthly goal is 75%

“Catch up...Then Keep Up”

96% of Students said: “My teachers believe I can achieve great things.”

94% of Teachers said: “Staff have high expectations for students.”

92% of Parents said: “My child gets the support he/she needs to succeed.”

ACE 2012 API By Grade

5th Grade – 717

6th Grade - 746

7th Grade - 754

8th Grade - 801

“Respond to Instructional Need”

ACE: Grow, Everyone, Every Day

Extended Day: 40+ Extra School Days

Personal Learning Plan for All Students

Daily/Weekly/Quarterly Data Analysis
Strong Results: 1.04 Years Growth - August - January

"100% Trained and Supported
Focus: Professional Development
Summer/Quarterly/Weekly/Daily
Explicit Training in Culture of Optimism
Master Teacher/Coach for All Teachers
Respond to Data: Personalize Instruction

"Close the Opportunity Gap" - it starts with teachers who believe that they can do it and who are held accountable to it.

100% of Teachers:

"I am held accountable for student performance goals."

San José Unified leadership in ensuring that 8th graders have access to algebra is exactly the kind of organization that ACE wants to be a part of. All 8th graders at ACE take Algebra.

Algebra 2012: Low-Income Latino

SJUSD/ACE 8th Grade

Far/Below Basic: SJUSD - 59%, ACE - 18%

Basic: SJUSD - 21%, ACE - 31%

Proficient/Advanced: SJUSD - 21%, ACE - 51%

Closing the opportunity gap is the most important work there is and they hope that they can be part of San José Unified's District wide effort to do that.

Mr. Lippman pointed out some of the ACE Board Members who are in the audience: Former Mayor of San José Mrs. Susan Hammer, Former San Jose Unified Board Member Mr. Gary Rummelhoff and former San Jose Unified Superintendent, Dr. Linda Murray.

Speaker: Susan Hammer

As a co-founder of ACE she is passionate about their work and devotes a lot of time to it. They locate their schools in neighborhoods where the majority of students are performing way below basic. They have had good success. They want to be part of the solution of closing the achievement gap. They feel a sense of urgency. This is their fifth year in Alum Rock and they feel that they are ready to expand to other districts. They want to be a partner in San José Unified and welcome the opportunity to do so. They appreciate the Board's consideration of their charter and hope that the Board will give them the opportunity to be part of San José Unified. Mrs. Hammer thanked the Board for the opportunity to explain what ACE Charter is all about.

Board President, Mrs. Foley reminded the speakers about the time limit of 2 minutes and that the yellow light on the timer would indicate when speakers should begin to wrap up their thoughts.

Speaker: Laura Robledo, Parent, ACE Charter School

Her daughter is in the 7th grade at ACE Charter School. Before her daughter was enrolled at ACE she was very quiet and anti-social which affected her learning. She wanted her daughter to be in a place where she could communicate with her teachers and receive more specific support and attention academically. The decision to enroll her in ACE was the best decision she could have made. She can stay during recess and after school to study with teachers. She has seen an increase in her daughter's confidence and self esteem due to the support of the staff at ACE. She would also like for her other daughters, ages 7 and 10 years, to attend ACE. ACE is a good choice because it teaches discipline and values to

students and keeps parents informed. She would like to have an ACE Charter school that is part of the San José Unified School District in the San José Unified Community where she lives so that her children have a nearby ACE and other families can have that option as well.

Speaker: Joanne Lin, Teacher at ACE Charter School

Ms. Lin said this is her third year teaching at ACE Charter School. She is speaking about what keeps her at ACE and what makes ACE so different. First and foremost what makes it different is what teachers are willing to do and put in to meet the needs of every single student. She is continually amazed by the time her colleagues put in to their lesson planning. There is no difference between the teachers that have been at ACE for a month or the teacher who has been there for two or five years. That trait in every single teacher is an indication that it is a value of the organization from the top down. Teachers do benchmark analysis of reading level data and other student work. This is what makes ACE different. The fact that teachers are willing to do whatever it takes to meet the needs of every single student is why she believes that ACE as an organization should be in San José Unified.

Speaker: Matt Hammer, Executive Director, Innovate Public Schools

Mr. Hammer addressed the Board in support of ACE Charter School. He is excited about where ACE now is. He has watched for the last four or five years as they relentlessly pursued the solution to the problem of how to bring huge numbers of far below basic and below basic kids up to grade level in their very intensive, rigorous four-year program. The data is extraordinary. In San José Unified about 70 percent of the Latino 8th graders are not proficient in Algebra. The numbers at ACE are about one-third of that. ACE has offered an incredible gift to the community. Their leadership is focused on how to serve the lowest performing kids and how to get them to grade level. He added that there are thousands of families that are watching and hoping that this becomes an opportunity for their families.

Mrs. Foley said that the Board would hear a staff recommendation on the ACE Charter proposal at the next meeting. She opened the discussion to questions from the Board Members.

Discussion:

Mrs. Lewis asked how many students are at ACE Charter and how many of them are SJUSD students.

Mr. Lippman: There are 455 – 460 students attending ACE, which includes approximately 50 students from San Jose Unified.

Rosie Bravo, Student and Family Services Director at ACE Charter School explained that 60 to 70 percent of the student population at ACE Charter school is from Alum Rock School District. About 20 percent of their students are from Franklin McKinley School District and approximately 10 percent of their students are from San José Unified. They have families that come as far as Morgan Hill. They have had families from Gilroy and a family from Tracy. There are students from about 12 different districts that attend ACE Charter School.

Mrs. Lewis asked if they are looking at locating their school in a particular area within San José Unified.

Mr. Lippman responded that they hope to be located in a neighborhood where students are coming out of elementary schools significantly below grade level in reading and math. There are several such neighborhoods in San José Unified and they would want to work with the District to identify an area of need and work with them to figure out whatever the facilities

complexities might be. They would want to be located in the Downtown core in the Guadalupe/Washington neighborhood where they could connect with families like they do in the Mayfair neighborhood.

Mrs. Lewis asked Mr. Lippman is he is aware that San Jose Unified has Sunrise Middle School.

Mr. Lippman replied that is aware of Sunrise Middle School in San Jose Unified.

Mr. Garcia said that he had the opportunity to visit the school and thanked Mr. Lippman for the tour. He said that he would reserve his questions until after he sees the staff report and the recommendation. He said if he has any questions prior to the next meeting he would be in touch with Mr. Lippman.

Alternate Student Board Member, Shane Kim asked Mr. Lippman to describe one of the best practices at the school.

Mr. Lippman said one of the things he is most excited about is the way they have taken their ideas about school culture and have made them part of the system. Every six weeks a group of parents, students and staff take a rubric they have developed and walk the campus for a couple of hours and report back to school leadership on what they have seen as far as school culture. At the last audit, the auditors noticed that there wasn't enough time and energy spent in celebrating student achievement. That filtered to the school leadership and they did some professional development around that. When they do the next the audit they will check to see if they have done a better job of recognizing the growth that kids have every day.

Ms. Castellanos asked how they engage parents.

Mr. Lippman explained that it starts in the beginning when they reach out in recruiting students. It is about understanding the community and finding parents where they are and engaging in conversations about what it means to come to ACE. When they reach out to families they talk about the things that their children are struggling with and the things that they need. It begins there and leads up to parents joining the Board, helping to choose the principal, planning school events and joining the culture audit. They hope that every single parent has a meaningful hour or two at the school every month because that is what they measure. It is twofold. It is about saying to parents, 'this is a school that fits for you' and 'here are some leadership and participation opportunities.' What really hooks parents in is the constant wave of communication from teachers and staff about how their child is doing, where they are getting better and where they need to continue to work. School wide celebrations and awards lead to buy in from parents who have not had many opportunities to be proud of their children's achievements during their elementary school years which turns into the parent leadership, the parent volunteering and the parent presence on campus.

Ms. Castellanos asked about their relationship with the surrounding school district.

Mr. Lippman replied that when ACE Charter was first started the relationship with the surrounding school district was pretty fraught. For the last three years they have shared a campus with Chavez Elementary School. They had a very close relationship with the leadership there. They built a respectful, mutually attentive relationship to the needs of each school and it was a very positive relationship. That relationship led the district to give ACE a 45 year lease on a piece of their land that allowed them to build a permanent school in their

district. Charters and districts don't always find common ground on every subject but the commitment of the Alum Rock District to have ACE be a permanent part of the landscape in the Mayfair speaks to the kind of relationship they have with them.

There were no other questions from the Board Members.

Mrs. Foley thanked Mr. Lippman.

Mr. Lippman said he appreciates the time that was spent on their campus and thanked the Board.

The public hearing closed at 6:36 p.m.

2. Discovery Charter School (D)

Staff Report on Findings

Minutes

Mr. Willis gave the staff report on Discovery Charter School. He explained some changes in the process and procedures that staff has undertaken in the last year in regard to charters. Charter reviews continue to be done according to Education Code. One of changes that has been made around the charter review process is the establishment of a team of people to review different aspects of the petition. For example in looking at Special Education, the District's Director of Special Education would review that section. For Instructional Services, the District's Director of Elementary and Secondary Education would review those relevant sections. The goal of staff is to substantially advance the work of the Strategic Plan, particularly helping those student populations that have struggled in San José Unified in the past.

Staff is recommending that the Board of Education not approve the Discovery II Charter Petition. The reasons are detailed in the staff report. Mr. Willis highlighted a few of the reasons for the recommendation.

1. The petition does not address how the school would sustain the parent participation model and how it would sustain that model for a student population that is different from its current operating school. More specifically, how it would address the burden of the parent participation program with families without the economic means to allow one parent to volunteer a significant amount of time in the school

2. The petition fails in several sections

Special Education – to identify what procedures would be used to address this specific student population under a District charter, specifically the service delivery model that they would use to address that population.

3. The petition fails to reasonably describe a framework for its instructional design.

San José Unified is looking at moving very quickly to common core state standards and implementing that in our schools. Knowing that that is right around the corner this petition significantly fails to address how that is going to be rolled out in Discovery Charter Schools. If they are looking to serve students in San José Unified, it is important that they are able to articulate how that is going to be done. Staff is recommending denial of this petition.

Mrs. Foley announced that before opening for questions from the Board members there is one individual that would like to speak on this item.

Speaker: Mr. Dale Jones, Executive Director, Discovery Charter School

Mr. Jones said that he is disappointed that he did not hear back on his offer to meet with staff regarding the charter. They strongly disagree with the staff recommendation. They

think they have a very viable program that could benefit San José Unified School District. Discovery Charter School is overseen by the Santa Clara County Office of Education. They visit Discovery's schools and classrooms, talk to staff and audit their records. They have called their program exemplary and have asked Discovery Charter to present at County Office meetings. Discovery's ELD program and parent participation program have both been featured in County workshops. They went throughout San Jose Unified School District and collected 500 signatures from parents who are interested in the program. 195 of those parents are from San Jose Unified School District. He is still willing to work with the District.

3. Discovery Charter School II Petition (ACTION) (D) (V)

RECOMMENDATION: That the Board of Education deny the Charter Petition to form Discovery Charter School II.

Minutes

Discussion: There was a question about the failure of the proposal to integrate the District's Strategic Plan and whether there was a response to that from Discovery Charter.

Staff is not aware that there was any response from them about integration of the Strategic Plan.

Motion made by: Rich Garcia

Seconded by: Teresa Castellanos

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes
Pam Foley	Yes
Rich Garcia	Yes
Veronica Lewis	Yes

V. Announcements and Reports

1. Announcements and Reports by Board Members, Student Board Member and Superintendent (D)

Board members may report on visits to schools, conferences and meetings attended and items of interest to the public.

Minutes

Alternate Student Board Member, Shane Kim reported that the most recent Intra-District Leadership Council meeting was held yesterday. The meeting included students from both the middle and high schools. The middle school students talked about bullying. They made some really good points and came up with some great solutions. The high school students talked about college and career centers as well as student motivation in schools. They had a great turnout and good discussion. The next ILC meeting will be on February 25th. The joint Board meeting will be held on March 11th. The students have a list of topics that they would like to address.

Ms. Castellanos – No report this evening.

Mr. Garcia reported that he met with some teachers from the District to discuss the needs of

Special Ed students. One of the concerns is the length of time it takes for students to be tested. This has been an issue in SJUSD as well as in other districts. It sounds like there is some room for streamlining. Also some teachers are getting so frustrated with the length of time it takes for a student to be identified and tested that they are no longer recording some of the observations that are necessary for a student to be considered for testing. It sounds like we may have a situation here where those students who need these services are not being brought to our attention. I will probably want to sit down with our Director and chat a little about that to see what the facts are on that from our perspective. I know that we don't intentionally try to slow down that process for anyone. He is interested in finding out if there is something we can do to maybe help some of those teachers who at least continue to be interested in supporting these students.

He attended the Metro Ed Board Meeting last week. The Metro Ed Board is concerned about the Governor's Local Control Funding Formula because it designates funding for adult education to community colleges. Given that there is a program at Metro Ed they are not sure what the future of that program will be. There was some concern there as well with the Career Technical Education being put on the chopping block because it will be part of the general fund. Their fear is that districts will not be able to come to an agreement and properly support the program. All of this has to still be talked out and legislature has to make some tough decisions. He said he hopes that there is some serious discussion in the very near future around Adult Education and Career Technical Education and the funding to continue those programs.

He and Board Member Castellanos met with a member of the Downtown Neighborhood Association leadership. She is the leader of the organization. She had some concerns about their perceived lack of outreach and education to incoming parents. She said that they felt that we weren't providing them with the kind of information they need when making a decision about where to enroll their student. We probably need to set up meetings with neighborhood associations. Send staff and make sure that they know what programs we do have available to them. I did talk to the superintendent. It looks like we have a good plan coming up. We will be getting back to that member and let her know that we do have a plan and she will be hearing from San Jose Unified. He will submit the rest of his report in writing.

Mrs Lewis reported on her attendance at the Santa Clara County School Boards Association meeting. She announced that the SCCSBA Legislative Brunch would be held in March. The format will be a round table discussion moderated by John Fensterwald. She is looking forward to the discussion with Board Members and Superintendents being able to ask some important questions. She reported that Dr. Wesley Smith, Superintendent of Morgan Hill Unified School District spoke at the meeting in regard to school board members working closely with Advocacy for Public Schools with ACSA. She is looking forward to that discussion. The goal is to bring more attention to school districts. She also informed the Board regarding the CSBA Delegate Assembly candidates. The Board will have the opportunity to vote for five candidates. The deadline is in March.

She attended the District Advisory Committee meeting. The committee reviewed the current Board Policy regarding parent involvement, which is required to be reviewed each year. The state is giving charter schools more money than it is giving to public schools. Lupe Mendoza made some notes as to some of the concerns. Bob Gonzales gave an update on enrollment. There was a loss of 408 students to Rocketship Charter, which is loss of funding to San José Unified.

She requested that the board members be given talking points regarding charters in regard to how they are funded. The funding does not directly come out of District funds. It comes from the state. Another question that is being asked is, "Do they have small class sizes?" She has a list of the questions regarding charters that she will forward to Mr. Willis. She answered some of the questions but was not comfortable answering all of them.

She also reported that a highlight of her week was her visit to John Muir Middle School where she shook hands with 233 sixth graders who were recognized for having a 3.0 up to 4.0 GPA for the first semester of their first year in middle school. Over 300 seventh and eighth graders were also recognized. She commended the staff and teachers, parents and students for their outstanding performance. It was a pleasure to see kids step up and be proud of their achievement. She will submit the rest.

Mrs. Engel reported that she attended the Leland High School recruitment event last week. It was very successful. They had a wonderful turnout. It was a student driven program so it gave students a chance to see how they could really become a part of their community and a part of their high school, which is very important. This Saturday she will attend the annual event of the Leland Bridge Group, which is an Asian parent community at Leland that supports many of the extracurricular funds there. This gives a chance to showcase their students and their performances as well as their parents. She attended when they first organized about ten years ago. She is looking forward to seeing the ten-year progress in this event.

Dr. Matthews reported on his attendance at the District PTA Council meeting on Monday evening. He said, "Many of the representatives whose students have already gone through our system are still coming back to volunteer. It is amazing to see the amount of volunteerism that we have in our schools. A big thank you. Many of you I see in the audience are either part of the PTA or give up your time to make sure things are happening in the right way for our students." He will submit the rest of his report online.

Mrs. Foley reported that it was a privilege to have been invited to speak to two of the leadership classes that are taught by Lauren Maslyar at Willow Glen High School. She answered a variety of questions from students. Some of the questions were in regard to her role on the Board and others were on a more personal level. One student asked, "How do you maintain professionalism when people just know you as Katelin's mom?" She said she is not just Katelin's mom. She is actually hosting an English Language Learner. She is a French student who was in the audience earlier. She is living with Mrs. Foley's family as part of the Rotary exchange program. Her daughter is in France for the year. She also attended a couple of fundraisers. One was benefitting the science camp for River Glen fifth graders. The fundraiser was a dinner and movie night for ladies. They watched a Spanish language movie called, Women on the Verge of a Nervous Breakdown. The next night she attended another fundraiser that benefitted the performing arts booster programs at Willow Glen Middle and High School. It was their big crab feed which usually raises about \$50,000 net for various performing arts programs. She also announced that Hammer Montessori Foundation would hold a fundraising event on Saturday, February 9th.

VI. Oral Petitions

1. Persons wishing to address the Board of Education must fill out a Citizen's Request to Speak Card and bring it to the Board Secretary. (D)

This portion of the Agenda provides an opportunity for members of the public to directly address the Board on any item of interest to the public; however, provisions of the Brown Act [Government Code 54954.2(a) and .3] preclude any action being taken on any item not appearing on the posted agenda for action. A CITIZEN'S REQUEST TO SPEAK card must be completed and given to the Board Secretary prior to the conclusion of Oral Petitions.

Members of the public who wish to speak during the discussion of an item on the posted

agenda must indicate the item number on the CITIZEN'S REQUEST TO SPEAK card. Time limits are two minutes at the discretion of the Board President.

Minutes

Oral petitions opened at 7:00 p.m.

Speaker: Linda Cortez, Community member/activist.

Topic: Litigation against SCCOE

Ms. Cortez said she is representing the Washington and Gardner areas. Her grandchildren attend Gardner Elementary School. She said she heard about the plans for Rocketship to build a school on Lick Avenue and she is very upset. She said, "We need a good middle school for all of our children. There are a lot of kids that need help. There are a lot of good students that attend Washington and Gardner Elementary Schools." She said that she tutors students that attended Rocketship who have been sent back to Washington and Gardner. She said, "They don't succeed at Rocketship school because they don't want them there. There aren't enough middle schools. We need your help to sue."

Speaker: Shannon Cogan, Parent, Lowell Elementary School

Topic: Community Advisory Committee for Special Education

Ms. Cogan is a parent of a Special Ed student at Lowell Elementary School in the Autism Resource Program. She said that it is a wonderful program with very dedicated and professional teachers and staff. She addressed the Board in regard to the Community Advisory Committee for Special Education, which is a state mandated advisory committee that is intended to be comprised of parents, educators and district staff to advise the Board about Special Education matters and maintenance and improvement of the Special Education program. Her concern is that there aren't any District employees currently on the committee. It is all parents. They would like to see some teachers and some aides as well as other community. Their major activity has been hosting speaker nights for parents and families of special needs children. So far this year they have had a discussion on transportation for Special Education students. In November they had a discussion about the assessment process with a District psychologist who spoke about identifying and assessing children. She said she would like to speak with Mr. Garcia about that issue. They have an upcoming speaker night about ADHD by a developmental pediatrician. The speaker nights are advertised to all parents of Special Education students in the District. Their meetings are held on the fourth Monday of every month.

Speaker: Brett Bymaster, Parent of a former Washington student, Current Willow Glen student and a Pioneer High School student.

Topic: Litigation against SCCOE

Mr. Bymaster

Addressed the Board in regard to the approval by the SCCOE of a zoning exemption for Rocketship at the Tamien site. There will now be three Rocketships within a few blocks of Washington Elementary School. Many community members are very concerned about the long-term implications of schools being dominated by a single privately held corporation with no public accountability. Losing public autonomy of schools is very concerning. He asked for the Board's support in going to court over this. The community is large, politically active and willing to support the Board if the Board is willing to support them in this effort. They have submitted hundreds of letters and have received continuing local and national press coverage. They need some resources and some help from this Board. He commented, "Mrs. Lewis mentioned that San Jose Unified has lost 408 students. That is a sum of about \$2 million plus per year. Rocketship has about half the teachers for the same size school as Washington so there are some serious questions about where that money is going. Hundreds of people have gone to community meetings and have been ignored." He asked

the Board to support the community and said he would like to meet with all of the Board Members.

Speaker: Maria Marcelo, Community member, Washington Elementary School

Topic: Litigation against SCCOE

There are already two schools in her community. It is very ugly for her to see a third school opening so close to Washington. She knows how the parents of Gardner and Galarza feel about losing students because Washington is losing even more. They went to City Hall and the Santa Clara County Office of Education Board meeting but no one paid attention to them. They want and need the support of the Board in this lawsuit. She asked the Board to consider how damaged the earth is on the Tamien site and how it might affect their children.

Speaker: Maria Hernandez, Student

Topic: Litigation against SCCOE

Maria Hernandez said she wanted to emphasize to the Board how the community needs their help to stop the other Rocketship from opening. She has attended and spoken at other meetings. She said it also affects her because she bikes to school.

Speaker: Jesus Hernandez, Student, Washington Elementary School

Topic: Litigation against SCCOE

Jesus Hernandez asked for the Board's support in suing Rocketship. He said, "It is going to affect everyone and Tamien is not a good site." They need a charter middle school. "Think about it being your kids biking to school far away." He hopes the Board will take that into account.

2. Oral Petitions from SJUSD Bargaining Group Presidents (D)

Each SJUSD bargaining group president is given five minutes to address the Board of Education. A CITIZEN'S REQUEST TO SPEAK card must be completed and given to the Board Secretary prior to the conclusion of Oral Petitions. Bargaining group presidents who wish to speak during the discussion of an item on the posted agenda must indicate the item number on the CITIZEN'S REQUEST TO SPEAK card.

Minutes

Speaker: Jennifer Thomas, President, SJTA

Ms. Thomas referred to the students that spoke previously and said it is a testament to public education that children start community involvement early. She expressed thanks to Steve Adamo and his staff who have worked tirelessly to resolve recent HVAC issues. She said, "Steve has additionally focused on improving the communication with our colleagues and our community and it has been greatly appreciated." She also thanked the Board for their "careful consideration of the Discovery Charter proposal and for declining to enter into that partnership. The message that this choice sends to your teachers and other educators is that while what Discovery is doing is impressive, it is the same work that our teachers do in our classrooms everyday. Implementation of the strategic plan and the relentless pursuit of the twin imperatives are not accomplished by organizations who simply wish to set up shop in our neighborhoods and pull students from local schools. The passionate innovation offered by an outside operator could never match those of teachers who go to college and return to serve in our public school classrooms and who agree to be bound by the dictates and mandates of the District and the state in order to serve every child who walks through their doors. That is not how we do business in San Jose Unified. I hope that this will be in your thoughts as you consider the ACE Charter as well. If smaller schools, more freedom and more discretion are to be awarded to any body or organization in our District it should be to the 1,700 educators in whom you have already

placed your faith. To help us reach our goals we will continue to place our faith in you." Ms. Thomas thanked the Board.

Oral petitions ended at 7:14 p.m.

VII. Minutes

1. Approval of the minutes of the Regular Session Meeting held January 17, 2013.

(D) (V)

Minutes

The minutes of the Regular Session Meeting held January 17, 2013 were approved as submitted.

Motion made by: Rich Garcia

Seconded by: Sandy Engel

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes
Pam Foley	Yes
Rich Garcia	Yes
Veronica Lewis	Yes

VIII. CONSENT CALENDAR - Items VIII.A.1 - VIII.F.1.12

1. Consent Calendar Items VIII.A.1 through VIII.F.1.12 (V) (C)

All Agenda items listed under the Consent Calendar will be enacted in one motion. There will be no discussion of these items prior to consideration of the motion, unless a member of the Board of Education or the Superintendent request that an item be removed from the Consent Calendar.

Minutes

Items VIII.D.1 and VIII.D.2 were pulled from the consent calendar.

The consent calendar was approved with the exception of the pulled items.

Motion made by: Veronica Lewis

Seconded by: Sandy Engel

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes
Pam Foley	Yes
Rich Garcia	Yes
Veronica Lewis	Yes

A. Superintendent & Human Resources - Consent

1. Acceptance of Gifts (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education accept, with thanks, the gifts to the

District as specified.

2. Administrative, Elementary/Secondary Certificated Personnel Actions and Personnel Services (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve the Administrative and Certificated Personnel Actions as specified.

3. Classified Human Resources Personnel Actions (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve the Classified Human Resources actions as specified.

4. Non-Regular Hourly Employment Agreements for \$25,000 or less (ACTION)

(V) (C)

RECOMMENDATION: That the Board of Education approve the Non-Regular Hourly Employment Agreements for \$25,000 or less as specified.

5. Short-term Limited Services Agreements (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve the Short-term Limited Services Agreements for \$25,000 or less as specified.

6. Agreement with California School Boards Association (CSBA) for AgendaOnline (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve an agreement with CSBA in the amount of \$2,750 for AgendaOnline to provide web-based, paperless Board agendas during the period March 1, 2013 through February 28, 2014.

Budget Source: Unrestricted General [Fund 031]

B. Board of Education - Consent

C. Division of Instruction - Consent

1. Approval of Field Trips (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve the field trips for elementary and secondary students as specified.

2. Independent Contractor Agreement with Mobile Minds, Inc. DBA: Mobile Minds Tutoring (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve an Independent Contractor Agreement with Mobile Minds, Inc. DBA: Mobile Minds Tutoring in an amount of \$38,872 to provide NCLB Program Improvement required supplemental educational services at Empire Gardens, Grant, and Horace Mann Elementary Schools, Bachrodt Charter Academy, and Gardner Academy during the 2012-13 school year.

Budget Source: Title I Supplemental Services [Fund 061]

3. Independent Contractor Agreement with Sullivan Learning Systems, Inc. (ACTION)

(V) (C)

RECOMMENDATION: That the Board of Education approve an Independent Contractor

Agreement with Sullivan Learning Systems, Inc. in an amount of \$65,088 to provide NCLB Program Improvement required supplemental educational services at Allen @ Steinbeck, Horace Mann, and Willow Glen Elementary Schools, Bachrodt Charter Academy, and Gardner Academy during the 2012-13 school year.

Budget Source: Title I Supplemental Services [Fund 061]

4. Independent Contractor Agreement with TutorWorks, Inc. (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve an Independent Contractor Agreement with TutorWorks, Inc. in an amount of \$70,512 to provide NCLB required supplemental educational services at Canoas, Empire Gardens, Grant, Olinder, River Glen, Trace, Washington, and Willow Glen Elementary Schools, and Bachrodt Charter Academy during the 2012-13 school year.

Budget Source: Title I Supplemental Services [Fund 061]

5. Master Contract with Discovery Ranch [NPS] (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve a Master Contract with Discovery Ranch in an amount not to exceed \$104,000 for educational services, room and board and mental health services provided to special education students during the 2012-13 school year.

Budget Source: Special Education [Fund 062]

6. Independent Contractor Agreement with RSB Education, Inc., DBA Sylvan Learning - Santa Clara (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve an Independent Contractor Agreement with RSB Education, Inc., DBA Sylvan Learning - Santa Clara in an amount of \$110,288 to provide NCLB Program Improvement required supplemental educational services at Allen at Steinbeck, Empire Gardens, Galarza, Grant, Horace Mann, Olinder, River Glen, and Trace Elementary Schools, and Gardner Academy during the 2012-13 school year.

Budget Source: Title I Supplemental Services [Fund 061]

7. Amendment to Master Contract with Devereux Texas Treatment Network [NPS] (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve a Master Contract with Devereux Texas Treatment Network to an amount of \$129,000 rather than \$90,000 for educational services, room and board and mental health services provided to special education students during the 2012-13 school year.

Budget Source: Special Education [Fund 062]

D. Community Engagement & Accountability - Consent

1. Independent Contractor Agreement with Cross and Joftus (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve the Independent Contractor Agreement with Cross and Joftus in the amount of \$50,000 to conduct a review of the district's personnel and talent management practices and identify key levers for implementing the Strategic Plan during the 2012-13 school year.

Budget Source: Applied Materials Grant [Fund 061]

Minutes

Item VIII.D.1 was pulled from the consent calendar.

Discussion: Mr. Garcia said it is a great project to conduct a review of the District's personnel and talent management practices. Staff looks like they are very well trained and capable. He asked if they would be looking at school sites and if they would be looking at job descriptions other than the academics.

Mr. Willis explained that the primary focus is around Human Resources strategic talent management practices concerning principals and teachers. With a limited budget those are the two segments of the employee population that can be focused on, particularly given the focus of the strategic plan around objective 4. For the time being most of the review will be looking at everything from recruitment and hiring through support and professional development for those two segments.

Mr. Garcia asked what is expected in terms of the deliverables.

Mr. Willis said they have committed to a couple of deliverables; first and foremost, a comprehensive report that lays out both their findings from the interviews and focus groups: the data that they collect through the survey that they anticipate giving, as well as data that they analyze. For example, how long a certain transaction takes in Human Resources, analyzing that data and laying out a series of recommendations based on their comparison to other best practices both here in California and nationwide as well as what their experience has been. For example, the lead on this study worked for seven years in the Human Resources Department in Chicago Public Schools so she has a lot of experience working in a school district that is constantly working to improve those types of HR practices.

Mr. Garcia said, "This looks like it fits well with our Strategic Plan. From a budget standpoint I am assuming the recommendation is going to be worth the \$50,000 that we spend."

Mr. Willis said, "Three members working essentially full time on this for three months is well worth the investment."

Mrs. Foley pointed out that it is a Grant from Applied Materials so it is not a cost to the District.

Mr. Garcia asked for clarification that the grant is earmarked for something similar to this.

Mr. Willis confirmed that it is.

No further discussion.

Motion made by: Rich Garcia

Seconded by: Sandy Engel

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes

Pam Foley	Yes
Rich Garcia	Yes
Veronica Lewis	Yes

2. Santa Clara County Mental Health Department Grant (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve a grant application to the Santa Clara County Mental Health Department in the amount of \$83,375 to implement Prevention and Early Intervention services during the 2012-13 school year.

Budget Source: Santa Clara County Mental Health Grant [Fund 061]

Minutes

Item VIII.D.2 was pulled from the consent calendar.

Discussion: Mr. Garcia said he is in support of this and that there certainly is a lot that can be done for students to strengthen their mental health. He asked what the planning is like in terms of integrating these services with other counselors that are available. He asked who would decide what students get the services and how it will differ from a student who might be referred to a counselor that is contracted through the YWCA.

Mr. McCloskey explained that this part of the grant is around a position that was requested from the County Mental Health Department. This is money to provide for two coordinators. The Board has already approved the mental health grant in excess of \$800,000 for Eastfield Ming Quang to bring services to nine SJUSD schools, two middle schools and seven elementary. The coordinators will be the bridge between the services and the service agency and the school site without putting additional requirements on the principal and or any of the other support services already on campus. The goal is to integrate the services to both train the coordinator and to be that bridge and start bringing together all of the different components of socio-emotional support at the seven elementary schools and the two middle schools. Mr. McCloskey added that the training for the coordinators is being developed by the School Link Services Task Force.

Mr. Garcia asked if the coordinators would identify students who have a long history of behavior problems and recommend an intervention.

Mr. McCloskey explained that the goal of the prevention and early intervention is to get on the intervention and prevention side as opposed to the suppression side when a student starts to behave in a way that is uncontrollable on campus. The different therapies that Eastfield Ming Quong has trained their people on are the type that will prevent students from moving down the discipline pipeline. It is in coordination with the zero tolerance recommendations to do something different to interrupt that discipline pipeline.

Mr. Garcia asked if the coordinator might take on some of the responsibilities in the resolution that the Board passed last year on domestic violence.

Mr. McCloskey explained that for those nine schools this person would be the one that starts to coordinate all of the efforts around this coherent system of support that will be in place to address needs. They will also be a coordinator of that effort.

Shane Kim asked Mr. McCloskey what services are available at the high School level.

Mr. McCloskey explained that generally there are more outside agencies available to high schools. The County Mental Health Department is looking at the earlier intervention

lessening the issues at the high schools. Each of the high schools have an academic counselor and some of them have a drop out prevention counselor. They also have the three different administrators, the IMA, the APD and the API that are all generally assigned to a class to get those supports if needed for the students.

No further discussion.

Motion made by: Rich Garcia

Seconded by: Teresa Castellanos

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes
Pam Foley	Yes
Rich Garcia	Yes
Veronica Lewis	Yes

E. Administrative Services - Consent

1. Claim of Cammie Farmer for Mariya Tillman (Minor) (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education deny the claim of Cammie Farmer for Mariya Tillman (Minor).

Budget Source: Unrestricted General [Fund 031]

F. Independent Contractor Agreement - Consent

1. Independent Contractor Agreements \$25,000 or less (Items VIII.F.1 - VIII.F.1.12) (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education approve the Independent Contractor Agreements in the amount of \$25,000 or less as specified.

END OF CONSENT CALENDAR

IX. ACTION ITEMS & REPORTS

A. Superintendent - Action Items

1. Report - Strategic Plan Progress (D)

Minutes

Mrs. Foley: Back to the agenda, the Superintendent has a report on the Strategic Plan.

Dr. Matthews thanked Board President, Mrs. Foley and members of the Board. He introduced the presentation and the presenter, Miss Rupa Chandra. "You have heard a number of times this evening people presenting speaking of Opportunity21. This is our plan that was approved in May. Tonight we have an opportunity to give you an update on our progress and implementation of Opportunity21.

Last May when we were going through budget augmentations, one of the augmentations

was a project manager for the strategic plan. If you haven't had the opportunity to meet Miss Rupa Chandra, she is here tonight. She is the project manager. She is a Broad Resident and we were lucky enough to be able to hire her and bring her on board. Tonight she will give you phase one of an update regarding the strategic plan and two weeks from now you will receive phase two.

Dr. Matthews turned over the presentation to Miss Chandra.

Strategic Plan Update – Presentation by Rupa Chandra, Project Manager

The following is Miss Chandra's presentation to the Board.

Opportunity 21 Board Update

Summary:

Last school year, we adopted OPPORTUNITY21 as SJUSD's 5-year Strategic Plan

Five "Wave 1" strategies identified as highest priority

Since, we further considered specific outcomes over the next three years for each strategy

We have identified implementation leads, and developed a process for governance and support from leadership

Next steps: Develop near-term communications plan

Agenda

Review 3-year priority outcomes

Review process for implementation, governance and support

Next steps

In June 2012, we prioritized strategies within OPP21

Prioritizing implementation

High-Quality Staff (4.1)

School Redesign (1.1)

Direct Instruction (1.3)

Academic & Behavioral Interventions (1.2/2.1)

Focus for near-term implementation and monitoring (Wave 1)

We further considered specific outcomes & timing across strategies

Two questions considered for OPPORTUNITY21 over the next three years:

In Dr. Matthews' speech to all staff, what will we have achieved each year?

If the San Jose Mercury published a front page article on our progress each year, what would we point to as critical successes for OPPORTUNITY21?

Summary of priority outcomes

2012-13

Headline: Significant progress on Wave 1 strategies; continue to monitor/revisit timing of waves

1.1: Foundational elements for redesign developed

4.1: Recruitment process significantly different and improved

2013-14

Headline: Wave 1 strategies largely implemented; focus moving to Wave 2

1.3: Systematic instructional framework implemented with quality districtwide

2.1: Coherent support system (behavior & health) implemented

4.1: New recruitment & induction process fully implemented

3.1: Efficient/effective processes implemented across all depts.

2014-15

Headline: Wave 2 strategies on-track; ongoing evaluation of major implementations

1.1: Redesign implemented at subset of schools across all levels, with additional sites in planning

1.5: CCSS fully implemented

4.1/4.2: End-to-end HR transformation complete

Teacher eval/comp system implemented

5.2: Resource alignment to Strategic Plan and equity policy

Additional areas of progress also identified as interim indicators

Implementation leads identified and action plans developed for Wave 1

4.1 Develop a rigorous employee hiring process with a focused effort on hiring a diverse workforce with 21st century skills – Implementation Lead – A. Dobson

1.1 Engage in a collaborative redesign of the traditional approach to school –

Implementation Lead – R. Chandra

1.3 Implement a systemic instructional framework – Implementation Lead – J.Lax/J. Zeller

1.2 Accelerate and enrich learning for every student – Implementation Lead – J. Lax/J. Zeller

2.1 Build a coherent system of support for at-risk students' socio-emotional behavioral, and health needs – Implementation Lead. - D. McCloskey

Governance includes defined roles and regular updates:

The structures that have been set up internally within the District to ensure that we are holding ourselves accountable to a quality and rigorous implementation

Superintendent's Council –Bi-weekly updates/offsites – Dr. Matthews, Jason Willis, Stephen McMahon, Nancy Albarrán and the Interim Director of HR, Meagan Azevedo

Cabinet – The Director level – Bi-weekly updates

Project Management – R.Chandra

Roles in supporting OPP21:

Give input and actively push on rigor and quality

Identify and remove institutional barriers

Receive and disseminate information

Council: Provide guidance and decisions on priorities, resources, and communications

Proposal for upcoming Board updates

Feb: Near-term OPP21 communications plan

Mar: Update on Strategy 1.1 – Redesign

April: Update on Strategy 4.1 – Recruiting

Monthly: Dashboard review via Friday letter

Next steps

Incorporate Board feedback

Develop detailed OPPORTUNITY21 near-term communications plan

Continue moving forward on implementation, focused on priority outcomes

Prioritizing Implementation

High-Quality Staff (4.1): A targeted focus on quality staff and necessary changes to our recruit and hiring practices

School Redesign (1.1): Design the school day to provide pathways that allow each student to realize their potential and increase time for teachers to collaborate

Direct Instruction (1.3): Continue to focus on ensuring quality implementation in all our classrooms

Academic/Behavioral Interventions (1.2/2.1): Need to provide additional support to struggling and accelerated students.

Miss Chandra opened for questions from the Board.

Discussion: Ms. Castellanos asked how this is connected to our relationship with parents in the District. We are at the point where we have all of this potential. At the same time, we have charter schools coming in that are able to get 500 signatures in a day and a half. The communication is key about where we are going, what we can do and what we want to do. Where is that in the plan?

Ms. Chandra: A lot of that will be in the communications strategy that we will be coming back with. Throughout all of these strategies there is a very tangible and important connection to the parent community. For example, on redesign we are developing the plan to collect input not only from our internal staff, teachers, etc. but also from parents and community members and students.

Ms. Castellanos: It is a little bit more than communication; it is also about engagement. As we are developing the future of 21st Century education it is about the relationship with parents not just this is the plan this is how we are moving. How is it a two-way relationship?

Dr. Matthews: Currently DELAC, Parent Brown Bag, and PTAs have been used as ways of communicating and getting feedback from the parents. "It hasn't been as focused as we want it to be so we are coming back with a communication plan to get more feedback and also to make sure that we are engaging parents.

Ms. Castellanos: When you were putting the plan together you did the community forums which I thought were completely fascinating. To have parents from different grade levels and different areas talking to each other was great. If we could incorporate something along those lines it would be very good.

Mr. Garcia: On the implementation leads identified and action plan development for wave 1, under 1.1 you have 'Engage in a collaborative redesign of the traditional approach to school.'

What are you talking about there? That is pretty broad.

Miss Chandra: The idea is to take a really hard look at the traditional approach to schooling and think about what it would take, what structures time and space we would have to rethink to create the optimal conditions for teaching and learning for all students. The concept phase is very much in early development right now. Examples can be anything from looking at things like Master schedule and why we have certain blocks of time, why we have certain constraints around our structures and reimagining that. Principals are starting to get engaged in that conversation and starting to bring their staffs to start brainstorming what those concepts could look like.

Mr. Garcia: Is this where we might include more discussion around the role of relevance in education? He referred to robotics and problem solving.

Miss Chandra: The focus of the transformational redesign is very much on the 21st Century skills around preparing the kids that come out of our district for college and career to be productive members of society. We are canvassing other schools and other school systems to look for examples of what you are talking about. We have come across some things that we are going to be visiting to take note and extract best practices that we can then apply.

Mrs. Lewis: In regard to governance on page 8 it looks like the role of Board is to receive the information and then you want to take our comments or questions. There is no place where the Board gives input other than what we are doing now.

Miss Chandra: The governance described on page 8 is more structured around the regular cadence and rhythm that we wanted to establish. Ultimately the Board is going to be very involved in decision making.

Mrs. Lewis: At what point in this plan will that happen?

Miss Chandra: The March and April timeframes are the places where we expect to have

Mrs. Lewis referred to page 9 and asked for a brief explanation of what the February communication plan is going to include.

Miss Chandra: The focus is on the near term communication requirements.

Mrs. Lewis: Please explain what you mean by near term.

Mr. Willis: This would be within the next three to six months in terms of the communication about the plan. To speak to some of the comments about declining enrollment that we heard about earlier, here is an opportunity for us to be very clear and vocal about the work that we are doing in San Jose Unified. Ultimately to tell parents about how the system is going to be changing for the betterment of their kids' education. That is a great platform for us to be able to stand on and say we really want you and your children in our system because of the ways we know it is going to change in the near future as a result of a plan like this.

Mrs. Lewis: Will it be a whole comprehensive plan about all aspects of communication? Such as right now without having to ask we are getting bullet points or talking points on issues that are coming at us. At what point does the Board give input to you or staff or the Superintendent about things that as a Board member we need talking points. I have access to all of these newsletters what should I put in there? Is the website part of the communication plan?

Dr. Matthews: This plan is specifically communicating around the strategic plan. This is just about the Strategic Plan and how we are going to communicate and get the word out and get input and engage the community around the strategic plan.

Mr. Willis: We have been in the process of looking for a permanent Public Information Officer and at the next meeting we will bring forward a revised job description that would allow us to do a search for a permanent PIO. I anticipate one of the first orders of business for that permanent person is to go back and review the prior communication plans that we have had. To articulate, in addition to the work that is happening with the strategic plan, how else to take advantage of these other streams of communication via parent newsletters, websites and other ways that we need to ultimately overhaul the way that we are communicating with the parents and the community to ensure that they are both informed, engaged and have opportunities to provide input into the work that we are doing.

Mrs. Lewis: This particular thing is just about Opportunity21, how we are going to communicate what is happening with every part of the plan? My concerns and questions are

about something else. She had no other questions on this.

Mrs. Foley: Questions about school redesign and reaching out to the community and the Board as well. When will we as a Board be asked to offer input on the school redesign?

Miss Chandra: The March update is when that is meant to happen. The redesign concepts just to clarify timing are being developed between now and the end of June. There is quite a bit of time for input collection. That is where we will hopefully be engaging with you on ideas.

Mrs. Foley: I am looking for more of a give and take where we are more able to offer our opinions on what a redesign means. I am still not sure what you mean by redesign. In the powerpoint presentation I have just received it hasn't been clarified at all. I am wondering about how parents are being engaged in the redesign. I am feeling that that is a huge piece that is missing. And ultimately any sort of redesign affects the students so how have we reached out to the students? How have they offered any input? Will we be reaching out to them? When and what have they said to us? Those are the kind of things I want to hear. I want it to be more of an interaction than show me a powerpoint and then talk to me. I want it to be a conversation where the Board offers input on the redesign, whatever that is.

Miss Chandra: We didn't really touch on the redesign concept here. The intent is to have interactive sessions with all of the stakeholders that you mentioned over the course of the next couple of months including the Board. The March update will talk about what those forums are and how we are approaching them. Right now we are designing what those look like.

Mrs. Foley: What the forum and what the outreach is, that is what you are designing?

Miss Chandra: Yes. We are getting there.

No further discussion.

2. Instructional Calendar for 2013-2014 (ACTION) (D) (V)

RECOMMENDATION: That the Board of Education approve the Instructional Calendar for the 2013-2014 school year.

3. Extend Health Insurance Exchange for Medicare Aged Retirees (INFORMATIONAL)

(D)

INFORMATIONAL: That the Board of Education review and consider potential changes to retiree medical benefits that will include contracting with Extend Health, Inc. to provide benefit counseling services and outreach to Medicare aged subscribers.

Budget Source: Self-Funded Insurance [Fund 031]

Minutes

The Board received detailed information on this informational item as an attachment to the agenda.

Discussion:

Mrs. Lewis: Has received concerns from retirees over the age of 65 about the implementation date being in July. Could it be later? What is the reason for having it sooner

rather than later?

Mr. McMahon: This is a discussion that has been going on for a long time. The July date is when open enrollment takes place. It is when we naturally switch any health care plan.

Mrs. Lewis: How many retirees this will affect?

Paula Warren: It will affect 900 retirees.

Mrs. Lewis: How many of those retirees attended the meetings?

Mr. McMahon: Well over one-third of the affected retirees attended the meetings.

Mrs. Lewis: Asked about the kind of questions that were asked.

Mr. McMahon: Change is very hard for a lot of people especially when it is their health care. We have been researching this very thoroughly with Gallagher advising us throughout the process. In the end the retirees are going to benefit because they are entering a marketplace that has much more buying power than we do on their behalf. When you are in the Medicare eligible group that is a large pool of people in the United States right now. We have been discussing this with the premise of the likelihood of Medicare changing is less likely than our plans changing so we are confident that we are adding a lot of security to the over 65 group and at a lower cost. They can get an equivalent plan for less dollars than what we can currently offer them because when we negotiate the plans it is for the entire set of employees. It is not an easy decision. There are up sides and down sides. They are receiving something that is equivalent or better.

Paula Warren informed the Board that a copy of the presentation that was given to the retirees earlier this month is on the district website. There are frequently asked questions included with the presentation.

Mrs. Engel: Has received communications from people that attended that meeting and it wasn't always positive so now that I know that it is on the website I will get back to them on that. She asked if there is someone they should direct their specific questions to. Part of that was choosing the health care provider for specialty issues such as cancer treatments.

Mr. McMahon: The goal of Extend Health is to do that. Their primary focus is ensuring that the retirees get steered to the best plan given their current health situation. That is what they are in business to do. If we take to the Board a contract for Extend Health that is what we are contracting for is to provide the best, most current advice to our retirees on what options given your medical needs are optimal for you.

Paula Warren: Our broker, Victor Deksnys is here who has helped us along this route as we have talked about this for several months. California will have an exchange through the Health Care Reform Act. Extend Health is already that exchange and the thing that will be very unique with them partnering with us is that our retirees will have annual help versus them having to try and secure a Medigap or Medicare Advantage plan on their own. Trying to navigate through the Medicare system is quite an undertaking. Many of the retirees retain our plan a lot of times out of fear. It is a safety net and not knowing what Medicare will offer and feel like they are getting not as good a plan, but they are getting as good a plan with better savings for them all around. We will have year after year of helping them to secure the best plan for their specific needs and also for their spouses who are 65 and other dependents that they have with them on our current plan. We won't just leave them

hanging but they will have that continued support.

No further discussion.

B. Board of Education - Action Items

1. Board Appointment of Measure H Citizens' Bond Oversight Committee (ACTION)

(D) (V)

RECOMMENDATION: That the Board of Education appoint the following members to a two-year term on the Citizens' Bond Oversight Committee, with the two-year term commencing on February 1, 2013 and ending on June 30, 2015.

<u>Name</u>	<u>Category</u>	<u>District Area</u>	<u>Trustee Area</u>
Christian Bateman	Parent Active in PTA	North	2
Michele Bertolone	Business Organization	Central	3
Edesa Bitbadal	Parent of SJUSD student	South	5
David Ginsborg	Taxpayers' Association	North	2
Dan McSweeney	Parent of SJUSD student	North	2
Paul Murphy	Parent Active in PTA	North	1
Ian Robinson	Parent	South	5
Ken Rousseau	Parent Active in PTA	South	5
Joe Silva	none	North	2
Mike Smith	Senior Organization	North	2
Kelly Snider	Parent	North	2
Sherri Taylor	Parent Active in PTA	North	1

Minutes

Mrs. Foley moved item IX.B.1 – the Measure H Citizens' Bond Oversight Committee appointment of members - up on the agenda before Item IX.A.1 to take action on it and to recognize people in the audience who are being appointed to the committee.

Mrs. Foley asked the members of the CBOC to please rise for recognition and for gratitude. She thanked them for being patient and waiting through the meeting.

Motion made by: Veronica Lewis

Seconded by: Sandy Engel

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes
Pam Foley	Yes
Rich Garcia	Yes
Veronica Lewis	Yes

2. Board Member Representative to the Measure H Citizens' Bond Oversight Committee (ACTION) (D) (V)

RECOMMENDATION: That the Board of Education appoint one of its members to a two-year term on the Citizens' Bond Oversight Committee, with the two-year term commencing on February 1, 2013 and ending on June 30, 2015.

Minutes

Mrs. Engel volunteered to be the Board's Representative on the Measure H Citizens' Bond Oversight Committee.

Mrs. Lewis volunteered to be the alternate.

Motion carries

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes
Pam Foley	Yes
Rich Garcia	Yes
Veronica Lewis	Yes

C. Division of Instruction - Action Items

1. Report by Ms. Nancy Albarrán, Assistant Superintendent, Division of Instruction

Minutes

Ms. Albarrán will submit her report in writing.

2. Resolution 2013-01-31-01 - Declaring the New Common Core State Standards as the Guiding Standards in English, Mathematics and Literacy (ACTION) (D) (V)

RECOMMENDATION: That the Board of Education adopt Resolution 2013-01-31-01 Declaring the New Common Core State Standards as the Guiding Standards in English, Mathematics and Literacy.

Minutes

Discussion: Alternate Student Board Member said the Common Core State Standards are amazing. During his time at the State Board of Education these kind of reforms were proposed and they found out that they had gone through the next day. It is nice to see it coming down to the Districts.

Preferential Vote by Alternate Student Board Member, Shane Kim: Aye

No further discussion.

Motion made by: Veronica Lewis

Seconded by: Sandy Engel

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes
Pam Foley	Yes
Rich Garcia	Yes
Veronica Lewis	Yes

D. Community Engagement & Accountability - Action Items**1. Report by Mr. Jason Willis, Assistant Superintendent, Community Engagement and Accountability**Minutes

Mr. Willis will submit his report in writing.

E. Administrative Services - Action Items**1. Report by Mr. Stephen McMahon, Chief Business Officer, Administrative Services**Minutes

Mr. McMahon reported that he has been frequently asked, 'How is it going?' He said, "I consistently answer, 'It is really exciting.' It has been the first month and I can say I have a long relationship with San Jose Unified and the energy, commitment and focus is unprecedented. People are doing incredible work right now. I do want to add that change is very hard. When ACE was presenting they made the comment, 'We built a system.' And I wrote myself a note that one school is very different than a system. We have 3,000 employees at multiple schools working really hard. We need to be different and change. I really appreciate the comments at the last Board meeting about communicating in different ways and it is coming up again. We are taking careful note of those comments. We need to operate differently. You are going to hear about declining enrollment a lot from staff. In the past when a district had declining enrollment it was because families were leaving the city or there were demographic changes. It is a totally different situation now. We are facing declining enrollment because people are choosing to go to different schools. How we communicate what we are doing as a school district needs to change with that. I really appreciated the discussion you briefly had at the last meeting about how we network with people and communities and families and it came up again because we need to do it differently. Meetings and newsletters tend to access the people we already have access to and we need to be creating a reputation and an image of San Jose Unified in a much wider scope. We are going to be working hard on doing that."

F. Facilities and Construction - Consent - Item IX.F.2**1. Facilities and Construction Consent Calendar - Item IX.F.2** (V) (C)

All Agenda Items listed under the Facilities and Construction Consent Calendar will be enacted in one motion. There will be no discussion of these items prior to consideration of the motion, unless a member of the Board of Education or the Superintendent request that an item be removed from the Consent Calendar.

Minutes

The Facilities and Construction Consent Calendar was approved.

Motion made by: Rich Garcia

Seconded by: Teresa Castellanos

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes
Pam Foley	Yes
Rich Garcia	Yes

Veronica Lewis Yes

2. Contract to Axiom Engineers, Inc. – Engineer Services (ACTION) (V) (C)

RECOMMENDATION: That the Board of Education award a contract to Axiom Engineers, Inc., in the amount of \$39,700 to provide engineering services as required for the Gym Heating and Venting Replacement project at Gunderson High School (Project Z0080).

Budget Source: State Bond [Fund 211]

END OF FACILITIES & CONSTRUCTION CONSENT CALENDAR

G. Facilities & Construction - Action Items

1. Ratification of Construction Related Contracts and Items (ACTION) (D) (V)

RECOMMENDATION: That the Board of Education ratify District staff’s approval of Contracts, Change Orders, and Amendments referenced in the attached list.

Budget Source: See attached list

Motion made by: Rich Garcia

Seconded by: Sandy Engel

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes
Pam Foley	Yes
Rich Garcia	Yes
Veronica Lewis	Yes

X. Student Discipline

1. Student Expulsion Case 2012-13-039 (D) (V)

Following the hearing in Closed Session, the Board will now take final action on this case.

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes
Pam Foley	Yes
Rich Garcia	Yes
Veronica Lewis	Yes

2. Student Expulsion Case 2012-13-041 (D) (V)

Following the hearing in Closed Session, the Board will now take final action on this case.

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes
Pam Foley	Yes
Rich Garcia	Yes

Veronica Lewis Yes

3. Student Expulsion Case 2012-13-042 (D) (V)

Following the hearing in Closed Session, the Board will now take final action on this case.

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes
Pam Foley	Yes
Rich Garcia	Yes
Veronica Lewis	Yes

4. Student Expulsion Case 2012-13-043 (D) (V)

Following the hearing in Closed Session, the Board will now take final action on this case.

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes
Pam Foley	Yes
Rich Garcia	Yes
Veronica Lewis	Yes

5. Student Expulsion Case 2012-13-044 (D) (V)

Following the hearing in Closed Session, the Board will now take final action on this case.

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes
Pam Foley	Yes
Rich Garcia	Yes
Veronica Lewis	Yes

6. Student Expulsion Case 2012-13-045 (D) (V)

Following the hearing in Closed Session, the Board will now take final action on this case.

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes
Pam Foley	Yes
Rich Garcia	Yes
Veronica Lewis	Yes

7. Student Expulsion Case 2012-13-046 (D) (V)

Following the hearing in Closed Session, the Board will now take final action on this case.

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes

Pam Foley	Yes
Rich Garcia	Yes
Veronica Lewis	Yes

XI. Action Taken in Closed Session

Minutes

Dr. Matthews reported on the action taken in closed session. In Closed Session the Board held Expulsion Hearings, Approved Personnel Recommendations, approved recommendations from the hearing officer, approved the recommendation of legal counsel and received a negotiations update.

XII. Adjournment

1. Adjourn the Meeting (D) (V)

Minutes

The meeting adjourned at 8:01 p.m.

Motion made by: Rich Garcia

Seconded by: Teresa Castellanos

Votes

Teresa Castellanos	Yes
Sandy Engel	Yes
Pam Foley	Yes
Rich Garcia	Yes
Veronica Lewis	Yes

2. Next Board Meeting - February 14, 2013

Board President

Board Clerk

Charter Petition

Discovery Charter School II

4021 Teale Ave.

San Jose, CA 95117

Submitted to the San Jose Unified School District on December 7, 2012



December 4, 2012

Dear Dr. Matthews, Members of the Board of Education,

Discovery Charter School has operated in the Moreland School District for the past six years. We are a K-8, parent participation school with a developmental, whole child philosophy. We have an extensive waiting list, high API scores, and strong reviews from the County Office of Education. This letter is to introduce you to Discovery and to inform you that recently our board voted to pursue a district charter in the San Jose Unified School District that we hope to open in the fall of 2013.

As you know, research consistently shows that one of the most significant predictors of a student's academic achievement is parental support for and involvement in their child's education. The California Department of Education has found that parent involvement is a more important predictor of student success than family income or the parents' level of education. Our mission at Discovery is to expand the available options for parents to be significantly involved in their child's education.

Parent education is the key to our success. Each parent who is new to our program receives training in Positive Discipline, the most widely used parenting program in the world that was created by Dr. Jane Nelsen. In addition to this training, parents receive ongoing training in teaching strategies for programs like Readers Workshop and Writers Workshop. These programs not only enable the parents to be effective classroom aides, but also aide the parents as they work with their own children at home.

Our academic intervention programs are an example of using trained parent volunteers to help provide intensive, personalized interventions for students under their teacher's direction. Training parents is the key to their success and we provide intensive instruction for parents who wish to provide academic interventions. For example, Barton Reading and Spelling Program tutors attend a full day of training before beginning, receive two or more additional trainings, coaching while tutoring, and additional video tutoring as they proceed with their student. Many parents of struggling students receive the training so that they can tutor their own children at home after school hours, so that their children don't have to miss any of the regular instructional time during the school day.

There is a high level of interest in Discovery Charter Schools from parents in the San Jose Unified School District. For the past three years we have received more than a hundred applications from San Jose Unified including 134 for the 2011-2012 school year and 114 for the 2012-2013 school year.

At Discovery we have a proven record of success. Our API score has been above 900 for each of the six years that we've been in operation, and we have received accolades from County Office administrators who have been assigned to review our program for compliance with state regulations and the MOU with the County. Our ELD program has been used as an example for other charter schools, and our special education program has been called "the most inclusive of all the charters in Santa Clara County" by the County Director of Special Education. We have developed a successful,

comprehensive, school-wide program that stands to benefit many children and families in the San Jose Unified School District.

We are excited about the possibility of serving students and families from across the San Jose Unified School District and the opportunity to provide a high quality, parent participation program to every family in the District who desires our model of learning for their child. We look forward to pursuing this effort with you.

If I can answer any questions please don't hesitate to contact me at djones@discoveryk8.org or (408) 243-9800 X123.

Sincerely,

Dale Jones
Executive Director
Discovery Charter Schools

Cc: Dr. Lucretia Peebles, County Director of Charter Schools

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I. CHARTER SCHOOL INTENT AND CHARTER REQUIREMENTS

In 1992 the California Legislature enacted the Charter Schools Act of 1992. Section 47601 of the California Education Code states that:

It is the intent of the Legislature, in enacting this part, 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.

The Charter Schools Act (or “the Act”) (Education Code Section 47600,*et seq.*) requires each charter school to have a “charter” that outlines the mandatory items of the Act. The following provisions of this charter coincide with the requirements of a charter petition as required by Section 47605 of the Act.

II. AFFIRMATIONS/ASSURANCES

As the authorized lead petitioner, I, Dale Jones, hereby certify that the information submitted in this petition for a California public charter school to be named Discovery Charter School II (“Discovery II,” or the “Charter School”), and to be located within the boundaries of the San Jose Unified School District (“SJUSD” or the “District”), is true to the best of my knowledge and belief; I also certify that this petition does not constitute the conversion of a private school to the status of a public charter school; and further, I understand that if awarded a charter, the Charter School will follow any and all federal, state, and local laws and regulations that apply to the Charter School, including but not limited to:

- The Charter School shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(c)(1)]
- Discovery Charter School shall be deemed the exclusive public school employer of the employees of the Charter School for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(b)(5)(O)]
- The Charter School shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]
- The Charter School shall not charge tuition. [Ref. Education Code Section 47605(d)(1)]
- The Charter School shall admit all students who wish to attend the Charter School, and who submit a timely application; unless the Charter School receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random drawing process. Except as required by Education Code Section 47605(d)(2), admission to the Charter School shall not be determined according to the place of residence of the student or his or her parents within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(d)(2)(B). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code Section 47605(d)(2)(C). [Ref. Education Code Section 47605(d)(2)(A)-(C)]
- The Charter School shall not discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(d)(1)]
- The Charter School 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.

- The Charter School shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]
- The Charter School shall ensure that teachers in the Charter School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. As allowed by statute, flexibility will be given to non-core, non-college preparatory teachers. [Ref. California Education Code Section 47605(l)]
- The Charter School shall at all times maintain all necessary and appropriate insurance coverage.
- The Charter School shall, for each fiscal year, offer at a minimum the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D).
- If a pupil is expelled or leaves the Charter School without graduating or completing the school year for any reason, the Charter School shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information. [Ref. California Education Code Section 47605(d)(3)]
- The Charter School shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. California Education Code Section 47612.5(a)]
- The Charter School shall, on a regular basis, consult with its parents and teachers regarding the Charter School's education programs. [Ref. California Education Code Section 47605(c)]
- The Charter School shall comply with any jurisdictional limitations to locations of its facilities. [Ref. California Education Code Sections 47605 and 47605.1]
- The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. California Education Code Sections 47612(b), 47610]
- The Charter School shall comply with all applicable portions of the No Child Left Behind Act.
- The Charter School shall comply with the Family Educational Rights and Privacy Act.
- The Charter School shall comply with the Public Records Act.
- The Charter School shall comply with the Ralph M. Brown Act. (See Attachment 1: Compliance with the Brown Act and the Public Records Act.)
- The Charter School shall meet or exceed the legally required minimum of school days. [Ref. Title 5 California Code of Regulations Section 11960]

Dale Jones, Superintendent/Executive Director
Lead Petitioner

Date

III. INTRODUCTION

Term of Charter

The Petitioners request a new charter school pursuant to Education Code Section 47605 for a term of five years from July 1, 2013 through June 30, 2018.

Date of Opening and Students to Be Served

On approval of the charter petition, the Petitioners plan to open Discovery II for instruction by no later than September 30, 2013, with authorization to offer instruction for kindergarten through grade eight.

Notification upon approval

Upon approval of the charter petition, the Petitioners will provide a written notice of the approval a copy of this document the Superintendent of Public Instruction and the State Board of Education.

Facilities

Discovery II will be located at one site within the boundaries of SJUSD. Should the charter be granted, the Petitioners acknowledge that any additional sites will require a request for a material revision to the charter, notification of affected districts, if applicable, and approval by the District Board at a public meeting.

Founders

The Founders of Discovery Charter School, a charter school authorized by the Santa Clara County Board of Education (“SCCBOE”) since 2005, are the same founders of Discovery II. The Founders represent a broad cross-section of parents and professionals. The Founders brought together the combined experience in the areas of education, legal, business, finance, non-profit administration, human resources, and technology. The Founders worked with a strong group of strategic partners in the areas of curriculum development, charter school finance, facilities, corporate and charter law, and charter development and operation. The Founders secured persons with expertise as needed to establish and sustain an excellent school and ensure the effective and responsible use of public funds.

A significant strength of Discovery Charter School is the continuity of leadership that has extended from the founders to the current Board. The current Board includes three founding members, Discovery Charter School’s former Executive Director, and one new Board member. It is this Board that is seeking to replicate and govern the Discovery Charter Schools. See Attachment 2: Discovery Charter School Board and Attachment3: Strategic Partners.

Leadership Team

The leadership team is comprised of teacher representatives from all grade levels and classified staff. The leadership team has been formed to facilitate shared governance and to serve as an advisory body to the Director, represent staff interests and employee relations, provide input to the school budget, and facilitate the execution of the annual development plan for the school. For more information refer to Attachment 4: Leadership Team.

*Notes:

- Throughout the charter, in order to avoid awkward grammatical constructions, the use of grammatically masculine singular words such as “he”, “his”, “him”, and “himself” are used in the generic sense and include both male and female.
- This petition for Discovery II is for a new charter school, which intends to replicate the success of the original Discovery Charter School. Throughout this document, the new charter school will be referred to as Discovery Charter School II, the “Charter School”, or simply, Discovery II. We will use the terms “Discovery” or “Discovery Charter Schools” when referring to all of the Discovery campuses.

IV. BACKGROUND

Research consistently shows that one of the most significant predictors of a student's academic achievement is parental support for and involvement in their child's education. Educators need the support and involvement of parents to help them address the varied and complex needs of the students in their classrooms. The California Department of Education has found that parent involvement is a more important predictor of student success than family income or the parents' level of education. Our mission at Discovery is to expand the available options for parents to be significantly involved in their child's education, and to make sure that every parent in Santa Clara County who wants a parent participation program for their family will have access to a high-quality parent participation school.

A central goal of Discovery Charter Schools is to build a vibrant learning community. We have created and support a culture of parental empowerment and "ownership" of the school, cooperation and regular communication between home and school, and the daily integration of a deep level of parent involvement in our program and the delivery of curricula. We have developed and support a culture of parent involvement with high expectations of our students' families, just as we want them to hold the school's professional staff to the highest expectations. We believe this formula of high expectations of all members of the learning community is crucial to the success of each student entrusted to our school, and a model for learning that can improve the quality of education across the District and Santa Clara County.

Parent education is a key to our success. Each parent who is new to our program receives training in Positive Discipline, the most widely used parenting program in the world that was created by Dr. Jane Nelsen. In addition to this training, parents receive ongoing training in classroom strategies for programs like Readers Workshop and Writers Workshop. These programs not only enable the parents to be effective classroom aides, but also aide the parents as they work with their own children at home.

Discovery provides a strong academic program for all students and an early intervention program for students struggling with foundational skills in math and reading. Using an RTI model of identification and remediation, we assess students who score below expected age and grade level norms or who have been identified as struggling by their parents or teachers. Struggling readers are given the Comprehensive Test of Phonological Processing (CTOPP) to assess their phonemic awareness skills. Lack of phonemic awareness is the most common cause of reading difficulties, or dyslexia. Identified students are given intensive 1:1 tutoring with trained parents and community volunteers using the Barton Reading and Spelling System.

In math we provide a similar system of early identification and remediation in small groups and if necessary with 1:1 tutors. Developing number sense and basic computational skills is the focus of our interventions in math, and we use a variety of programs depending on the needs of the students, including Scott-Foresman, Singapore Math, Holt math, Greg Tang and Marcy Cook materials, and teacher-made lessons.

Our program for English Learners (EL) uses the Santillana "Into English" program with parent volunteers who themselves learned English as a second or third language working with small groups of EL students on a regular basis.

These intervention programs are all successful examples of using trained parent volunteers to help provide intensive, personalized interventions for students under their teacher's direction. Again, training parents is the key to their success and we provide intensive instruction for parents who wish to provide academic interventions. For example, Barton tutors attend a full day of training before beginning, then receive two or

more additional trainings, coaching while tutoring, and additional video tutoring as they proceed with their student. Many parents of struggling students receive the training so that they can tutor their own children at home after school hours, so that their children don't have to miss any instructional time during the school day. A new charter school would enable us to provide these parent-assisted interventions to more families from across the District and Santa Clara County who want to be directly involved in helping their children, and the children of others, who struggle with foundational academic skills.

Our special education program has been very successful and accounts for why many families with special needs students enroll in Discovery. For the 2011-12 school year students with Individualized Education Plans (IEP's) made up 11.4% of our student population, and we anticipate that this percentage will continue to increase. We utilize a "Learning Center" model that provides integrated services to identified students. Our resource specialist, occupational therapist, speech and language pathologist, psychologist, a counselor, and specialized aides all work together to deliver services that address the total needs of the child. This comprehensive, "whole child" approach is much different than the pull-out, isolated services that most students receive. We would like to be able to provide this model of special education to students from across the District and County, and we hope to eventually add Special Day Classes in collaboration with the County Office of Education Special Education Department.

Many families in San Jose and Santa Clara County are looking for a parent participation school, but many are unable to enroll their child due to a lack of space. For the 2012-13 school year, Discovery Charter School had 648 applications for 82 openings. (We enroll 55 Kindergarten students and 27 new 6th grade students each year.) For the 2011-12 school year we had 646 applications, and for the 2010-11 school year we had 693 applications. Other similar parent participation schools like Washington Open in the Santa Clara School District, McAuliffe in the Cupertino School District, and Indigo School in the Oak Grove School District also have similar waiting lists. Clearly the demand for parent participation schools far exceeds the available openings. This is the primary reason that we are seeking to expand our program.

Our applicants come from 25 school districts across the County. For the past three years we have received more than a hundred applications from students in each school district of Santa Clara, Campbell, Moreland, and San Jose Unified. For the 2011-2012 school year we received 147 applications from Moreland, 134 from San Jose Unified, and 100 from Santa Clara. For the 2012-2013 school year we received 124 applications from Moreland, 114 from San Jose Unified, and 115 from Santa Clara.

At Discovery we have a proven record of success. Our API score has been above 900 for each of the six years that we've been in operation, and we have received accolades from County Office administrators who have been assigned to review our program for compliance with state regulations and the MOU with the County. Our ELD program has been used as an example for other charter schools, and our special education program has been called "the most inclusive of all the charters in Santa Clara County" by the County Director of Special Education. We have developed a successful, comprehensive, school-wide program that stands to benefit many children and families in Santa Clara County.

V. EDUCATIONAL PHILOSOPHY AND 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 the program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.”- California Education Code Section 47605(b)(5)(A)(i)

A. Mission

Through direct parent participation, community learning, and developmentally based teaching, Discovery II will support the ‘whole’ child and develop lifelong learners prepared to meet the challenges of the future.

Discovery II is committed to:

Building an educational environment where developing, building, and engaging families and communities will provide a common vision for lifelong learning and student success;

Respecting the cognitive, emotional, social, and physical development of each child;

Partnering staff, students, parents, and community to create a unique, challenging, and individualized learning environment with high academic standards and expectations;

Building programs that foster thinking which is original, critical, collaborative, and reflective; and

Developing students who are self-motivated, self-disciplined, and socially responsible.

B. Educational Philosophy and Instructional Design

Discovery II is a developmental, parent participation school open to all students. The instructional program is designed so that teachers work together to promote a high level of academic and behavioral success for all students. The school’s instructional design is built on the following core elements:

Classes are developmental and standards based.

There are various instructional models:

Classes are multi-age, developmental, hands-on, student-centered, and theme-based to accommodate individual learning styles and achievement levels.

Classes use a looping model (students stay with their teacher for two years) to provide an opportunity for teachers and students to develop a strong sense of community.

Parent-led, small group instruction allows teachers to differentiate the curriculum to meet the needs of each student.

Collaboration and partnership of teachers, parents, and students creates a sense of community that is supportive, nurturing, and student - centered.

Curriculum is designed by teachers using state standards, brain-based research, and best practices. Curriculum is constantly evaluated, adapted, and improved by teachers.

We are a community of lifelong learners comprised of teachers, parents, and students. Respect for one another as learners is a key component of our school. Students are encouraged to share their knowledge and expertise with others. Developing student independence is a priority, and students are valued as decision makers.

Assessment is done on a continual basis. Formative and summative on-going assessments are used to inform instruction. Students and teachers work to develop and monitor learning goals and share them with their parents during student-led conferences.

Enrichments and Selectives such as: gardening, art, cooking, drama, foreign language, and dance are strategically integrated to support the curriculum.

Technology is integrated in the curriculum and is used as a tool for teaching and learning. Students regularly utilize technology for research, analysis, communication, skill building, and self-expression.

Field trips extend the classroom experience by providing real-world experiential learning opportunities for each student.

A typical day for a kindergartener and for a sixth-grader at Discovery II are described in Attachment 5:A Day in the Life of a Kindergartener, and Attachment 6:A Day in the Life of a Sixth-Grader

How Learning Best Occurs

Research shows that consistent high levels of student success are more likely to occur with long-term comprehensive parent involvement in schools. The California Department of Education states:

Comprehensive means that parents are involved at all grade levels in a variety of roles. Involving parents in supporting their children's education at home is not enough. To ensure the quality of schools as institutions serving the community, parents must be involved at all levels in the school.

See Attachment 7:California State Board of Education Policy 89-01 (1994): Parent Involvement in the Education of Their Children, and Attachment 8: California Department of Education – Charter School Division – Legal Opinion on Parent Participation. With this in mind, Discovery II asks families to make a commitment to the community and their child to volunteer in the classroom on a weekly basis.

Research shows that multi-age grouping promotes cognitive and social growth (Trevor Calkins) and the natural development of the child. The wider age spans promote an active learning environment where students are not expected to 'perform' at their 'age level,' but encouraged to perform to the best of their ability. The students learn from each other, from teachers, and from cross-age tutors.

Research shows that children learn by doing, and the hands-on learning approach will give students an opportunity to take learned skills and apply them to meaningful projects. These projects provide students an

opportunity to develop and demonstrate critical thinking skills, problem solving skills, and cooperative learning which will prepare them for the 21st century.

Research also shows that the brain is pattern-seeking and looks for connections between pieces of information (McBrien/Brandt, 1997). These connections lead to a stronger and more thorough understanding. Whenever possible, curriculum is designed around science, social studies, or literacy themes (Ostrow, 1995). Topics are studied from many different angles and viewpoints, allowing students to explore subjects deeply, employ higher level thinking skills, and make connections among various disciplines of thought (Jensen, 1998).

Children develop and grow at different rates in different skill areas. Teachers' strong understanding of child development and close working relationship with each child's parent allows them to design learning experiences so that each child's needs are met (Bingham, 1995). Curriculum is aligned with each child's developmental level to allow children to feel successful regardless of academic level.

Children also have different strengths and styles of learning. The teachers develop instructional programs incorporating the theory of multiple intelligences to build on each student's strengths and address diverse learning styles (Gardner, 1999).

Learning best occurs in a collaborative environment. Students have a higher motivation to learn when they have a real stake in their own learning. The teacher shares control of the classroom and students are allowed to explore, experiment, and discover on their own. The focus in these classrooms is on options, rather than uniformity. Learners are treated as co-creators in the learning process, as individuals with ideas and issues that deserve attention and consideration.

Learning best occurs in a climate where there are measurable goals and accountability. As Schmoker (1996) so simply states: "What gets measured gets done". Discovery II provides a continuous collection and application of data for students, parents, teachers, and administrators.

Research sources are listed in Attachment 9: Cited Curriculum References.

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

Advances in technology have touched everyone's lives. Today's youth are growing up in a world that is more technologically advanced than any other time in history. Through the Internet and television, our children quickly and easily learn about world events, its inhabitants, and its issues. The Internet literally brings a world of information right to our fingertips. The world our children will know as adults will undoubtedly be very different than the world we have today.

In spite of the many changes in our world, many fundamental characteristics of a well-educated person remain. A vital part of being a well-educated person is mastery of fundamental skills, concepts, and knowledge in history, math, science, reading, writing, art, and music and an appreciation for what those who have come before us have learned. For such knowledge to be useful, it must be supported by the ability to think critically, the ability to use reasoning, and coherent argument supported by evidence. The educated person can evaluate, organize, and use information from various sources and disciplines of thought. He is able to make logical and flexible connections with the newly acquired information. He is able to reflect on experiences, revise his understanding, and solve new problems. The educated person is competent using a variety of technology tools for analysis, communication, and presentation - these tools, coupled with knowledge of history, provide the ability to process and evaluate the changes encountered.

To become an educated person, a child needs support and guidance that comes from having positive relationships with parents, teachers, other adults, and children. Growing up in California's populous and diverse community, a child needs to experience new cultures and learn new languages. He must learn to communicate well and work effectively in groups and teams and to understand the moral responsibility to help others and the value of contributing to his community.

As a contributing citizen of the 21st century, an educated person is self-motivated and competent. Through years of working with teachers and other adults, he has learned how to assess his abilities and how to learn. The educated person has an appreciation for knowledge and views lifelong learning as an activity that is essential to keep pace with the constantly changing world. Discovery II seeks to enable pupils to become self-motivated, competent, and lifelong learners.

C. Students to be Served

Discovery II will serve students in Transitional kindergarten (TK)¹ through eighth grade. We estimate that the Charter School will open with approximately 382 students. At full grade K-8th build out, we estimate that the Charter School will have approximately 490 students.

Discovery II attracts those who are seeking an alternative to their current educational system, desire an innovative approach, and share the vision of Discovery Charter Schools.

D. Curriculum

Discovery II focuses on the education of the whole child through a core curriculum of English-language arts, mathematics, science, and history-social science including a complementary curriculum of performing arts, physical education, technology, and life skills education. California State Standards are used as the foundation to build curriculum and guide instruction. The Discovery II curriculum addresses the developmental needs of a diverse population. Students are encouraged to be active in the community through various community service projects. See Attachment 10:Sample Curriculum.

The Charter School recognizes that full implementation of the Common Core State Standards must be accomplished by the 2014-15 school year. The Charter School will adhere to the Common Core State Standards and the required implementation timeline. All references in the charter to adherence with the California State Content Standards will become adherence to the Common Core State Standards, in alignment with directives from the California Department of Education regarding implementation.

Language arts is integrated across all curricular areas and offers a rich diversity of activities and resources. The comprehensive curriculum includes daily opportunities for children to practice and improve reading, writing, listening, and speaking skills. A variety of teaching strategies are used to ensure that each student's needs are being met. Instruction is provided in large group, small group, and individual settings. Periodic classroom and school benchmark literacy assessments help teachers continue to align instruction with the needs of the students.

All students at all grade levels are engaged in challenging, hands-on math activities which involve thinking mathematically and using tools, techniques, and strategies to solve real world problems. Our program

¹ If the Charter School receives apportionment for students in a transitional kindergarten program, it shall offer transitional kindergarten, the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate.

develops number sense and problem-solving skills through concrete experiences using manipulatives before moving on to more abstract concepts. Teachers use a variety of resources such as Scott Foresman Math, Holt, TERC Investigations, CPM (College Preparatory Math), Kathy Richardson, Marcy Cook and Greg Tang activities, and teacher-created materials. Math activities are integrated throughout the curriculum. Many math activities are multi-leveled and provide students with a variety of skill levels and opportunities for meaningful work. Both skill and problem solving assessments based on state standards are used throughout the year to help teachers continue to plan and implement appropriate and challenging math activities. Parents often lead concept or needs-based math learning centers.

The science program at Discovery II uses resources such as FOSS (Full Option Science System) kits and GEMS, hands-on science curriculum that integrates essential learning in the areas of earth, physical, and life sciences throughout the curriculum. Depth over breadth is emphasized in a thematic-based curriculum that is guided by student interest, as well as the state standards. Science at Discovery Charter School II includes real-life experiences with lab experiences, the scientific method, problem-solving, gardening, and cooking. Students also participate in field experiences off campus to supplement and solidify what they are learning in the classroom.

The social studies curriculum also ties in closely with other curricular areas such as language arts and science. Using resources such as the History Alive curriculum, content is based on the state standards and emphasizes living and working together in our diverse community.

Productive citizens of the 21st century must be able to work cooperatively as part of a team to accomplish a task. Cooperative learning techniques, used throughout the curricular areas, teach students to work collaboratively with others and allow them to develop their social and communication skills. Students learn to share their knowledge and skills, and respect the ideas and skills of others. Students at every grade level participate in service learning projects which are integrated into the curriculum.

In addition to the above core curriculum, students participate in activity-based physical education, health, foreign language, and visual and performing arts. Technology is used as a tool for teaching and learning. Students have access to technology for research, analysis, communication, skill building, and self-expression by using the classroom computers or the Apple mobile carts, which allow students to work independently or in a lab experience.

Through their work as part of the Discovery II community of learners, students develop skills that will enable them to pursue their own path of learning throughout their adult lives and become self-motivated, competent, and lifelong learners. Students learn study skills such as note taking, library research skills, and study strategies. Through self-evaluation and goal-setting, students learn to reflect on and evaluate their own learning and progress toward achieving a goal. During student-led conferences, students share their goals, class work, and activities that demonstrate their goals and reflect on their work with their parents. Project-based learning provides practice in reasoning, decision-making, and problem solving. Students learn to identify and use available resources and to articulate their thought processes to others.

Learning Environment

Discovery II provides a productive, safe, enriching learning community in which children, parents, and teachers of different backgrounds, abilities, and needs work and learn together successfully. Discovery II

allows and encourages collaborative work between students and teachers and values cooperation and collaboration as important life skills. Learning at Discovery II takes place in many settings during the day.

Our primary grade classrooms are organized around two innovative organizational strategies based on resiliency factor research: the multi-age classroom and the opportunity to stay with one teacher for more than one year. In the multi-age classroom, children have the rare opportunity to learn from regular interactions with students who are older and/or younger than they are. Because the relationships developed with teachers are of key importance to student success, children stay with one teacher for two years, which leads to greater bonding, learning, and connection to the school.

Our upper grade classrooms are organized by grade level to ensure that teachers can meet the more structured curriculum standards. Some of the upper grade teachers use the organizational structure of looping to allow students to stay with one teacher for more than one year. Students work in mixed groups in weekly enrichment workshops to promote positive cross-grade relationships. Periodic groupings within grade levels allow students to benefit from the diverse and unique teaching styles of each teacher. Upper grade teachers use a variety of strategies including cooperative learning, research methods, hands-on experiences, and simulations.

As part of the learning community themselves, teachers must have time to work together, plan, discuss student needs, mentor one another, and observe other classrooms. The school day is structured so that staff members have time during school hours for professional development, grade level collaboration, and decision making. To permit this flexibility, the length of the school year and/or the length of the school day may be extended beyond the state-mandated minutes. Teachers are required to participate in ongoing staff development in order to stay current with research in best teaching practices. Professional development is provided at the site by experts and staff members. Teachers are also encouraged to attend classes or workshops in their area of focus off campus, and to share their learning and experience with the staff when they return to school.

The unique features and structure of the Discovery II curriculum and the instructional strategies outlined here are designed to maximize the learning opportunities of all students across a broad spectrum of abilities. Our parent participation model allows for small group instruction to address the multiple intelligences of all of our students.

E. Plan for Students Who Are Academically Low-Achieving

At Discovery II, low-achieving students are those who fall below the 50th percentile on the adopted standardized test and/or fall below learning behavior, language acquisition, and fine and gross motor skills on a developmental continuum. At Discovery II at-risk students are students who achieve at or below the 40th percentile on adopted state tests who may or may not qualify for special education services, and whose achievement potential is not being realized.

The parent participation component of Discovery II provides the teacher with the ability to offer differentiated instruction. Students have the opportunity to work in small groups or individually with an adult for a large portion of the school day. Under the direction of the teacher, parents work with small groups or one-on-one to ensure that all children get the individual help and attention they need to succeed. Activities are differentiated so that students who are ready can move on without leaving any other student behind. Parents may be trained in certain interventions in order to help at-risk or low-achieving students in the classroom. Parent talents and skills are also used to provide enrichment and extension activities for students.

Early intervention is the key to effective remediation of academic difficulties. At Discovery II we assess students who teachers have identified as struggling with learning to read using the Comprehensive Test of Phonological Processing (CTOPP) and students found to have a cognitive deficit affecting their ability to read (as opposed to a delay in developmental readiness) are given intensive 1:1 tutoring using the Barton Reading and Spelling Program. In math we also assess struggling students as early as possible and provide leveled math groups, additional small group instruction and 1:1 tutoring under the Response to Intervention (RTI) model. Interventions may include help from our TLC (The Learning Center) team prior to (or without) formal identification as a student with a disability.

Multi-age classrooms give at-risk and low-achieving students continuity with one teacher for two years. Students have time to develop at their own rate and are presented with daily opportunities to learn at their own developmental level in each academic area. Flexible grouping across age groups allows students to work at an instructional level with others possessing the same skills. Teachers may group students in different ways to help build a certain skill set or learning behavior. All students have opportunities to take both leading and following roles in cooperative activities. This allows at-risk or low-achieving students to be successful in their school work each day and builds student confidence.

Hands-on, integrated curriculum provides concrete experiences to scaffold learning for at-risk students. Students have opportunities to follow interests and connect their previous knowledge to new concepts. Through broad themes, students are given an opportunity to broaden their knowledge of big concepts, giving them a strong base for adding and retaining new knowledge. Concrete learning experiences at every grade level give at-risk students opportunities to learn in a variety of modalities, helping them eventually to develop the learning strategies that work best for them.

Parents of at-risk or low-achieving students are included in the development of strategies to meet the specific needs of the student. Further support for such students includes intervention programs beyond the classroom, such as cross-age tutoring and student study teams.

F. Plan for Students Who Are Academically High-Achieving

At Discovery II, students achieving above grade level in any academic area, possessing superior intellectual or leadership ability, have opportunities for more challenging work and leadership roles within the classroom and school. In addition, student strengths outside the core academic areas are fostered and celebrated in the classroom. Discovery II strives to provide differentiated educational experiences that maintain the interest and intrinsic motivation of gifted students, to nurture their self-esteem, and to nurture social development.

Multi-age classrooms give high-achieving students continuity with one teacher for two years. Students have opportunities to excel in their areas of strength while continuing to develop at their own pace in other areas. In each area of development, students are presented with daily opportunities to learn and work at an instructional level with others possessing the same skills. Teachers may group students in different ways to help build a certain skill set or learning behavior. High-achieving students are given opportunities to work cooperatively to solve problems and also opportunities to teach or lead a group in order to solidify concepts for themselves. All students have opportunities to be both a leader and a follower in cooperative activities. This allows high achieving students to be both successful and challenged in their school work each day and builds a positive attitude toward school.

Project-based learning provides opportunities for above grade level students to capitalize on their interests and knowledge of a particular subject, but also to practice problem solving and to use higher level thinking skills.

These students need opportunities to work collaboratively on a problem and to make decisions about the direction a project will go. Through broad themes students are given an opportunity to broaden their knowledge of big concepts, and to choose and follow a focus area in which they wish to learn more. Activities designed with the multiple intelligences in mind provide opportunities for students to use their strengths and continue to develop other learning modalities, all in a risk-free environment. Gifted program services will be available in conjunction with other differentiation strategies such as flexible grouping, tiered lessons/activities and a high level of questioning strategies that are currently practiced at Discovery II.

The parent participation component of Discovery II provides the teacher with the ability to have students working in small groups or individually with an adult for a large portion of the school day. Under the direction of the teacher, parents work with small groups or one-on-one to ensure that all children get the individual attention they need. The school forms the core of students' daily social and academic experiences. These everyday experiences, in turn, play a critical role in the students' social and emotional adjustment. At Discovery II under the direction of the teachers, parents interact with all the students, including the gifted, on a daily basis as aides in the classroom. Parents are trained to facilitate, rather than lead, cooperative learning groups so that students can take on the roles themselves. Parent talents and skills are also used to provide enrichment and extension activities for students. In order to ensure a positive environment, the Discovery gifted program with the help of the gifted parent support group, will provide workshops to help parents understand the social and emotional aspects of gifted children. See Attachment 11: Plan for Students Who Are Academically High Achieving.

G. Plan for English Learners

Discovery II shall meet all legal requirements for English Learners (ELs) relative to annual notification to parents, student identification, placement, program options, English Learner and core content instruction, teacher qualifications and training, reclassification to Fluent English Proficient (FEP) status, monitoring and evaluation of program effectiveness, and standardized testing requirements. Discovery II shall implement policies to effectuate proper placement, evaluation, and communication regarding ELs and the rights of parents and pupils.

Home Language Survey

The Home Language Survey (HLS) is administered upon a student's initial enrollment into a California public school. If Discovery II is not a student's first California public school, then Discovery II receives a copy of the student's HLS from the prior school(s) of attendance. Nonetheless, all parents are required to complete the Home Language Survey.

Annual Assessments

Discovery II shall follow all California English Language Development Test (CELDT) testing timelines to ensure students who have indicated that English is not the primary language spoken at the home are assessed as to English fluency annually until redesignated as FEP to ensure these students receive proper instruction based upon current English proficiency levels. Discovery II shall comply with the applicable requirements of the No Child Left Behind Act with regard to English Learner students.

English Learners and Core Instruction

Discovery II will offer Mainstream English instruction for all English Learners, as well as regular small group, intensive support in vocabulary and language development. That instruction is designed to ensure that students acquire English language proficiency and recoup any academic deficits that may have developed in other areas of the core curriculum. Mainstream English instruction contains the following components:

Well-articulated, standards-based, differentiated English Language Development (ELD) instruction, specifically designed for English Learners, using the Santillana Intensive English program and Rigby PM Guided Readers.

Well-articulated, standards-based, differentiated instruction in the core curriculum, with primary language support and/or Specially Designed Academic Instruction in English (SDAIE).

Structured activities designed to develop multicultural proficiency and positive self esteem.

Each EL is expected to make progress in English and in grade level academics.

Reclassification and Monitoring

English learners are reclassified as “fluent” when they have sufficient English skills to learn in a regular classroom without extra assistance and perform in academic subjects at approximately “grade level.”

An English Learner in grades 2 - 8 must meet all of the following criteria to be reclassified from English Learner to FEP status:

- A minimum score of Basic (324) on the STAR/CAT6 in the areas of Total Reading, and Total Language
- Overall proficiency levels of Early Advanced or Advanced on CELDT with proficiency levels of intermediate or above in all three test components (listening/speaking, reading, and writing)
- Adequate performance on school progress report cards
- Teacher recommendation and evidence of successful performance in reading and writing in the classroom

Student progress is monitored annually. School level assessments, English Proficiency Reassessments using the CELDT, and classroom data and observation are used to determine English language proficiency, and evaluate students’ language growth and academic performance. Formative assessments to monitor students’ ELD progress are given by teachers throughout the school year in listening/speaking, reading and writing.

Reclassified students will be monitored each semester to ensure that they are making adequate academic progress through the following means: teacher/Director/student interview, a discussion of affective attitude toward learning, a review work samples and grades, and intervention if needed.

See Attachment 12: Plan for English Learners Table of Contents.

H. Plan for Special Education

Overview

Discovery II shall adhere to all laws affecting individuals with exceptional needs, including all provisions of the Individuals with Disabilities in Education Improvement Act of 2004 (“IDEA”), its amendments, Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act (“ADA”). All students are given equal access to the school, regardless of disabilities, and the school does not discriminate against any student based on his disabilities. We do not require the modification of an IEP or 504 plan as a condition of acceptance at the Charter School.

Discovery recognizes the importance of providing education opportunities to all students regardless of physical challenges or special needs. To that end, Discovery II pledges to ensure that enrolled students are served in accordance with applicable federal and state law.

Our program is based on the “Learning Center” model of service delivery, which is an integrated approach to meeting the needs of students with learning, behavioral, and social-emotional challenges. In the Learning Center model students receive “push-in” or “pull-out” support from our resource specialists, speech and language pathologist, occupational therapist, counselor, school psychologist, and trained aides, working together to address the unique needs of their students.

IDEA

Discovery II shall be a public school of the Santa Clara County Board/Office of Education (“County”) for purposes of special education pursuant to Education Code Section 47641(b).

Discovery II and the County shall develop and execute an agreement regarding special education which specifies in detail the responsibilities for provision of special education services by the Charter School and the manner in which special education funding will flow through the County to the students of the Charter School.

The details of this arrangement, or a reasonable alternative to this arrangement, will be discussed and codified in a memorandum of understanding between the County and the Charter School. Discovery II seeks to extend a substantially similar agreement as already executed between Discovery Charter School I and the County to Discovery Charter School II’s operations. Nothing in this Section, however, shall be deemed to prevent the Charter School from seeking LEA status pursuant to Education Code Section 47641(a) or from contracting with a third-party to provide special education services.

The Charter School intends to provide special education instruction and related services in accordance with the IDEA, Education Code requirements, and applicable policies and practices of the Special Education Local Plan Area (“SELPA”). The Charter School reserves the right to make written verifiable assurances that the Charter School shall become an independent LEA and join a SELPA pursuant to Education Code Section 47641(a) either on its own or with a grouping of charter school LEAs as a consortium, and the charter school plans to provide its own staffing and run its own special education program under the guidance and supervision of the County Office of Education.

The Charter School will follow County policies and procedures, and shall utilize County forms in seeking out and identifying and serving students who may qualify for special education programs and services and for responding to record requests and parent complaints, and maintaining the confidentiality of pupil records. The

Charter School will comply with County protocol as to the delineation of duties between the County and the local school site in providing special education instruction and related services to identified pupils.

The Charter School plans to be designated the Local Educational Agency (“LEA”) serving Charter School students.

Staffing

All special education services at the Charter School will be delivered by individuals or agencies qualified to provide special education services as required by California’s Education Code and the IDEA. It is the Charter School’s understanding that the Charter School will be responsible for the hiring, training, and employment of site staff necessary to provide special education services to its students, including, without limitation, special education teachers, paraprofessionals, and resource specialists. The Charter School shall ensure that all special education staff hired by the Charter School are qualified pursuant to District and SELPA policies, as well as meet all legal requirements. The Charter School shall be responsible for the hiring, training, and employment of itinerant staff necessary to provide special education services to Charter School students, including, without limitation, speech therapists, occupational therapists, behavioral therapists, and psychologists.

Notification and Coordination

The Charter School shall follow County policies as they apply to all schools for notifying school personnel regarding the discipline of special education students. The Charter School shall assist in the coordination of any communications and immediately act according to County policies and education code relating to disciplining special education students.

Identification and Referral

The Charter School shall have the responsibility to identify, refer, and work cooperatively in locating Charter School students who have or may have exceptional needs that qualify them to receive special education services. The Charter School will implement County policies and procedures and federal law to ensure timely identification and referral of students who have, or may have, such exceptional needs. A pupil shall be referred for special education only after the resources of the regular education program have been considered, and where appropriate, utilized.

In the event that the Charter School receives a parent written request for assessment, it will work collaboratively with the parent to address the request. Unless otherwise appropriate pursuant to applicable State and Federal law, the Charter School and the District will provide the parent with a written assessment plan within fifteen days of receipt of the written request and shall hold an IEP within sixty days of parent’s consent to the assessment plan to consider the results of any assessment.

The Charter School will follow District child-find procedures to identify all students who may require assessment to consider special education eligibility and special education and related services in the case that general education interventions do not provide a free appropriate public education to the student in question.

Assessments

The term “assessments” shall have the same meaning as the term “evaluation” in the IDEA, as provided in Section 1414, Title 20 of the United States Code. The District will determine what assessments, if any, are necessary and arrange for such assessments for referred or eligible students in accordance with general practice

and procedure and applicable law. The Charter School shall work to obtain parent/guardian consent to assess Charter School students.

IEP Meetings

The Charter School shall arrange and notice the necessary IEP meetings. IEP team membership shall be in compliance with state and federal law. The Charter School shall be responsible for having the following individuals in attendance at the IEP meetings or as otherwise agreed upon by the District and Charter School: the Principal and/or the Charter School designated representative with appropriate administrative authority as required by the IDEA; the student's special education teacher; the student's general education teacher if the student is or may be in a regular education classroom; the student, if appropriate; and other Charter School representatives who are knowledgeable about the regular education program at the Charter School and/or about the student. The Charter School shall arrange for the attendance or participation of all other necessary staff that may include, but are not limited to, an appropriate administrator to comply with the requirements of the IDEA, a speech therapist, psychologist, resource specialist, and behavior specialist; and shall document the IEP meeting and provide of notice of parental rights.

IEP Development

The Charter School understands that the decisions regarding eligibility, goals/objectives, program, services, placement, and exit from special education shall be the decision of the IEP team. Programs, services and placements shall be provided to all eligible Charter School students in accordance with the policies, procedures and requirements of the County and State and Federal law.

IEP Implementation

The Charter School shall be responsible for all school site implementation of the IEP. The Charter School holds ultimate authority over implementation and supervision of services. As part of this responsibility, the Charter School shall provide the parents with timely reports on the student's progress as provided in the student's IEP, at least quarterly. The Charter School shall also provide all home-school coordination and information exchange. The Charter School shall also be responsible for providing all curriculum, classroom materials, classroom modifications, and assistive technology.

Interim and Initial Placements of New Charter School Students

The Charter School shall comply with Education Code Section 56325 with regard to students transferring into the Charter School within the academic school year. In accordance with Education Code Section 56325(a)(1), for students who enroll in the Charter School from another school district within the State, but outside of the SELPA with a current IEP within the same academic year, the District and the Charter School shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved IEP, in consultation with the parent, for a period not to exceed thirty (30) days, by which time the Charter School shall adopt the previously approved IEP or shall develop, adopt, and implement a new IEP that is consistent with federal and state law. In accordance with Education Code Section 56325(a)(2), in the case of an individual with exceptional needs who has an IEP and transfers into the Charter School from a district operating programs under the same special education local plan area of the Charter School within the same academic year, the District and the Charter School shall continue, without delay, to provide services comparable to those described in the existing approved IEP, unless the parent and the Charter School agree to develop, adopt, and implement a new IEP that is consistent with federal and state law. For students transferring to the Charter School with an IEP from outside of California during the same academic year, the

Charter School shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved IEP in consultation with the parents, until the District conducts and assessment pursuant to paragraph (1) of subsection (a) of Section 1414 of Title 20 of the United States Code, if determined to be necessary by the Charter School, and develops a new IEP, if appropriate, that is consistent with federal and state law.

Non-Public Placements/Non-Public Agencies

The Charter School shall be solely responsible for selecting, contracting with, and overseeing all non-public schools and non-public agencies used to serve special education students.

Non-discrimination

It is understood and agreed that all children will have access to the Charter School and no student shall be denied admission nor counseled out of the Charter School due to the nature, extent, or severity of his/her disability or due to the student's request for, or actual need for, special education services.

Parent/Guardian Concerns and Complaints

The Charter School shall follow County, State, and Federal policies as they apply to all schools for responding to parental concerns or complaints related to special education services. The Charter School shall instruct parents/guardians to raise concerns regarding special education services, related services and rights to the Charter School.

The Charter School's designated representative shall investigate as necessary, respond to, and address the parent/guardian concern or complaint.

The Charter School and the District shall cooperate in responding to any complaint to or investigation by the California Department of Education, the United States Department of Education, or any other agency, and shall provide timely notice to the other upon receipt of such a complaint or request for investigation.

Due Process Hearings

The Charter School may initiate a due process hearing or request for mediation with respect to a student enrolled in the Charter School. In the event that the parents/guardians file for a due process hearing, or request mediation, the Charter School shall defend the case.

The Charter School shall have sole discretion to settle any matter in mediation or due process. The Charter School shall also have sole discretion to file an appeal from a due process hearing or take other legal action involving any Charter School student necessary to protect its rights.

SELPA Representation

It is the Charter School's understanding that the District shall represent the Charter School at all SELPA meetings and report to the Charter School of SELPA activities in the same manner as is reported to all schools within the District.

Funding

As its own LEA, the charter school shall receive funding through the County Office of Education and does not expect to receive any special education funding from the District.

The Charter School acknowledges that it may be required to pay for or provide Charter School students with placements at locations other than at the Charter School's school site in order to provide them with a free appropriate public education. Such placements could include, without limitation, programs or services in other public school districts within the SELPA, in a County Office of Education program, in a non-public school, at home, at a hospital, or in a residential program.

Section 504/ADA

Discovery II shall be solely responsible for its compliance with Section 504 and the ADA. All facilities of the school are accessible for all students with disabilities in accordance with the ADA.

Further, the Discovery Board has adopted and implemented a policy, which outlines the requirements for identifying and serving students with a 504 accommodation plan. Discovery II recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program of the school. Any student, who has an objectively identified disability which substantially limits a major life activity such as learning, is eligible for accommodation by the School and shall be accommodated. See Attachment 13: Board Policy on 504 Compliance.

VI. MEASURABLE PUPIL OUTCOMES AND METHODS OF PUPIL ASSESSMENT

“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 schoolwide 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.” - California Education Code Section 47605(b)(5)(B)

A. Core Academic Skills

Discovery II has developed Student Outcomes that are based on California State content and performance standards. In the areas of reading, writing, and mathematics we have identified the most essential standards. In subsequent years our focus will be on developing the most essential standards in history/social studies and science. In addition to state standards, Discovery II helps students develop skills as listed below:

English/Language Arts

Strong reading, writing, listening, speaking, and presentation skills, in multiple forms of expression which may include poetry, biographies, stories, non-fiction, and plays, which will enable them to comprehend and interpret multiple forms of expression, including literature from various time periods and cultures.

Science

The understanding and application of the major concepts underlying the various branches of science, which may include physics, biology, chemistry, ecology, astronomy, and earth sciences aligning with State Standards. This knowledge will enable students to make informed decisions in an increasingly technological world.

History/Social Sciences

An understanding of civics, history, geography, cultures, and languages so they can apply their knowledge and be responsible citizens of the 21st century.

Mathematics

The ability to reason logically and to understand and apply mathematical processes and concepts to solve problems requiring basic mathematics, algebra, geometry, statistics, and other math disciplines. These problem-solving skills will be integrated into other disciplines.

B. Lifelong Learning Skills

Discovery II helps students develop skills that will enable them to pursue their own path of learning throughout their adult lives in becoming self-motivated, competent, and lifelong learners, including the following:

Study Skills

Proficient study skills and habits including note taking, library research skills, and studying strategies.

The ability to reflect on and evaluate one's own and other's learning.

The ability to plan, initiate, and complete a project, including goal setting and self-assessment.

Cognitive Processing Abilities

Cognitive processing abilities using complex and critical thinking skills.

The ability to identify, access, integrate, and use available resources and information.

The ability to reason, make sound decisions, problem solve, and analyze in a variety of contexts.

The ability to articulate their thought processes.

Foreign Language Skills

A foundation in a language other than English.

A knowledge and understanding of other cultures.

An ability to function with people from other cultures or to participate in multilingual communities.

Technology

Skills from a variety of technological sources for the purpose of research, analysis, communication, organization, and self-expression.

Ability to utilize computers and commonly used software applications.

Visual and Performing Arts Skills

Knowledge of skills to express ideas and emotions through participation in various forms of the visual and performing arts which may include music, theatre, dance, two- and three-dimensional arts, puppetry, and applied arts.

Health Science/Physical Fitness

Knowledge of pertinent issues of health, safety, and the development of behaviors that are a foundation of lifelong healthy living.

Social/Interpersonal Skills

The ability to make responsible decisions, build confidence in one's ability to learn, and be a productive member of an increasingly diverse and technological society.

The ability to communicate clearly through oral, written, visual, and other forms of expression.

The ability to engage in responsible, compassionate peer relationships.

The ability to collaborate and work effectively with others in cooperative groups.

C. Academic Performance

Discovery II has developed grade level benchmark assessments in reading, writing, and math. These assessments will be used to inform instruction and to measure student growth at the end of the year. Discovery II shall examine and refine student outcomes and performance goals over time to reflect the School's mission, curriculum, assessments, and any changes to state standards.

Discovery II shall strive to:

Increase the number of students performing proficient and advanced on mandated standardized tests by 1% in each of the subject areas in each year of this charter;

75% of the students in grades K-8 will receive a score of proficient or above on the progress report at the end of the academic year;

Meet the annual API growth target and Adequate Yearly Progress (AYP) criteria each year; and

Achieve a student attendance rate of at least 96.5%.

D. Methods of Assessment

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

To measure the progress of the students at Discovery II and ensure that the goals of the charter are being met, Discovery II will adhere to statewide standards with mandated standardized tests and conduct additional performance-based assessments. Student performance on these measures will help the School community make informed decisions about instruction and program modifications.

The following assessment approaches may be included in the School's measurement of outcomes:

Standardized Tests: The School shall administer nationally norm-referenced tests required by law in the state of California. The School may also administer supplemental standardized tests as appropriate.

MARS (Math Assessment Resource System) Discovery II will annually participate with the Math Assessment Collaborative of Santa Clara County and administer the MARS test to all students in

the second through eighth grades. This performance-based assessment allows teachers to see where there are gaps in students' understanding of the application of math skills and problem solving.

Benchmark Assessments: Benchmark assessments in reading, writing, and math are given in the fall and spring of each year. They are used as formative and summative assessments, which inform instruction and demonstrate growth over the year.

Evidence Folder: A systematic collection of student work collected over their school career that exhibits a student's work and progress. Evidence folders are used to measure student progress toward and mastery of school-wide benchmarks. Evidence folders follow the student as they move from grade to grade at Discovery II.

Portfolios: These are maintained in the classroom to be used at student-led conferences to demonstrate growth and understanding of subject content matter. Students use the portfolios to select evidence to demonstrate their growth and areas of improvement. Portfolios will help students develop critical thinking skills by providing the opportunity for them to assess their own learning, to reflect critically and thoughtfully about their own work, to set goals for improvement, and to be aware of their accomplishments. This will provide the staff and parents with an authentic picture of the student's progress over time, while simultaneously giving information for future instruction and student needs.

Developmental Reading Assessment (DRA): Authentic assessment of children's reading skills in context will be completed by teachers. Students read books to determine their instructional reading level. The students then receive a reading level designation based on their degree of fluency, accuracy, comprehension, and critical thinking.

Journals: Student journals are used to reflect the student's own performance in academic areas and their use of the critical thinking skills.

Projects: Elementary and middle-school students complete projects that represent a cumulative show of the student's learning. These may be written and oral and may include the use of various media. Eighth grade students will work with advisors to complete their exit projects. Rubrics indicate students' mastery of skills.

Teacher observations and documentation: Teachers document student work and work habits in the classroom, noting skills that are mastered and those requiring continued instruction. Included in these observations are the student's attitudes and social behaviors.

Teacher-designed assessments: Teachers design appropriate tasks that measure understanding and mastery of grade level concepts on an ongoing basis. Data from these assessments will also be used by teachers to continue to design instruction and refine teaching strategies.

Student progress towards skill mastery is documented twice yearly using standards-based progress reports. Parent-teacher conferences are held twice a year and more often as needed. At Discovery II we believe student-led conferences are educationally meaningful for students and an extremely informative format for parents to learn about their child's goals and progress. Therefore the teacher and family meet together to give the student an opportunity to discuss their progress with their parents.

- Students direct the conference
- Students share evidence which best represents his/her growth to date

- Sharing of work is part of the learning process for the student
- Students, parents, and teachers set goals

The majority of the conference is spent reviewing and discussing the student’s work samples, celebrating accomplishments, and setting goals. These goals are designed so that everyone is involved in the student’s learning. Additionally, each teacher has an opportunity to provide the family with information about their student’s progress.

Pupil Outcomes, Benchmark Instruments, and Assessments

Measurable Pupil Outcomes	Local Benchmark Instruments	State-Level Year-End Assessments
<ul style="list-style-type: none"> • Achieve rating of E or M and/or A or B (per academic rubric or progress report) on the state content standards each year in core subjects • Meet or exceed grade-level standards each academic year, as evidenced by local benchmark assessments • Achieve at least a 96.5% student attendance ratio • Achieve Academic Performance Index (API) growth targets 	<ul style="list-style-type: none"> • Student progress reports, portfolios, school designed content benchmark assessments • Math test designed by Data Director, Writing Assessments, DRA, SRI • Daily attendance reporting • Annual growth targets 	<ul style="list-style-type: none"> • Evidence folders, and progress reports • Current state accountability measures: e.g., STAR/CAT6, writing assessments • Calculated ADA rate • Current state accountability measures: e.g., STAR/CAT6, writing assessments • Self-Evaluation, Writing Samples, IEP, Performance Assessment, Teacher Observation

E. Use and Reporting of Data

The assessments are designed to align to the mission, exit outcomes, and the curriculum. See Attachment 10: Sample Curriculum for sample assessments. Discovery II collects annual data from the assessments listed above and utilizes the data to identify areas for improvement in the educational program. The School develops an annual performance report based upon the data compiled. The report shall also include:

- Summary data showing student progress toward the goals and outcomes from assessment instruments and techniques as described in this section and an analysis of whether student performance is meeting the outcomes specified by this section. This data will be displayed on both a Charter 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 Discovery Board of Directors 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;
- 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 the Charter to achieve a racially and ethnically balanced student population;
- An overview of the School's admissions practices during the year and data regarding the number of students enrolled, the number on waiting lists, and the number 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; and
- 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.

The School uses the information compiled in the annual performance report to evaluate and improve upon its educational programming as necessary.

Discovery Charter Schools and the District will jointly develop an annual site visitation process and protocol to enable the District to gather information needed to confirm the Charter School's performance and compliance with the terms of this charter.

Discovery II anticipates that the District will agree to receive and review the annual programmatic report of Discovery II and within two months of receipt of the annual review, the District will notify the Discovery Charter School Board as to whether it considers the Charter School to be making satisfactory progress relative to the goals specified in this charter. This annual notification will include the specific reasons for the District's conclusions regarding its assessment of the annual programmatic report of Discovery II.

VII. GOVERNANCE

“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)

A. Legal Status

Discovery II is operated by Discovery Charter School, a California non-profit public benefit corporation pursuant to California law and is recognized by the Internal Revenue Service as a 501(c)(3) tax-exempt organization. See Attachment 14: Articles of Incorporation and Attachment 15: 501(c)(3)Letter. Discovery II shall be governed pursuant to the Discovery Charter School Bylaws as adopted, as subsequently amended from time to time, which shall be consistent with this charter. See: Attachment 16: Discovery Charter School Bylaws.

Discovery II shall operate independently from the District, with the exception of the supervisory oversight as required by Education Code. Pursuant to the Education Code Section 47604(c), the District shall not be liable for the debts or obligations of the School, operated as or by a California non-profit benefit corporation or for claims arising from the performance of acts, errors, or omissions by the charter school as long as the District has complied with all oversight responsibilities required by law.

B. Board of Directors

All Discovery Charter Schools are governed by one single Board of Directors (the “Board”) of the Discovery Charter School nonprofit public benefit corporation. The Board is ultimately responsible for the operation and activities of every School. Board members have a responsibility to solicit input from parents, faculty, and staff from each School regarding issues of significance, and to consider input carefully before taking action. The primary method for executing the Board’s responsibilities is the adoption of policies that offer guidance and interpretation of the charter and the oversight of the implementation of such policies by the Superintendent/Executive Director and each school Director. The Board will consist of at least five (5) and no more than eleven (11) members who will govern all Discovery Charter Schools. The make-up of the Board will consist of a minimum of one member representing each campus.

Additionally, in accordance with Education Code section 47604(b), the chartering authority may select a representative to sit on the Board.

New Board members are appointed by the Directors of the Board of Discovery Charter Schools. In selecting new Board members, the Board shall look for expertise in areas such as: school administration or operations, teaching, business, accounting, technology, legal, nonprofit, and fundraising. See Attachment 17: Board Member Development Plan. Board members shall include parent and community leader representatives appointed by the Board in accordance with the Bylaws.

The Board will meet on a regular basis (e.g. monthly). The responsibilities of the Board include but are not limited to:

- Upholding the mission and vision of each school;

- Overseeing the implementation of the charter;
- Creating external or sub-committees as needed, including, but not limited to, a nominating committee and an audit committee;
- Ensuring compliance with applicable law such as the Brown Act, the Public Records Act, and the Political Reform Act;
- Acting upon staff recommendation approving all operational policies and having oversight of the implementation of such policies through the Superintendent/Executive Director and each school Director;
- Approving and monitoring each school's budget and fiscal practices, including solicitation and receipts of grants and donations;
- Acting upon staff recommendation, approving all hiring, firing, and discipline of employees as well as all employee contracts and personnel policies at each school;
- Acting upon staff recommendation, approving student and parent policies, including, but not limited to, admissions, and disciplinary policies including suspension and expulsion at each school;
- Approving and monitoring management of each school's liabilities, insurance, health, safety, and risk-related matters; and
- Approving all contracts and expenses in excess of 1% of the annual operating budget of each school.

The Board has adopted policies and procedures regarding self-dealing and conflicts of interest. See Attachment 18: Conflict of Interest Code. The Board may initiate and carry out any program or activity that is not in conflict with or inconsistent with any law and which is not in conflict with the purposes for which charter schools are established. The Board may execute any powers delegated to it by law, and shall discharge any duty imposed by law upon it and may delegate to an employee of the School any of those duties. The Board, however, retains ultimate responsibility over the performance of those powers or duties so delegated.

C. Superintendent/Executive Director

The Superintendent/Executive Director shall be the Chief Executive Officer (CEO) of the Discovery Charter School system. He is responsible for the effective operation of all the schools, general administration of all instructional, business, or other operations of the schools, and for advising and making recommendations to the Discovery Charter School Board with respect to such activities. He shall perform all the duties and accept all of the responsibilities usually required of a Superintendent as prescribed by the Education Code of the State of California, the rules and regulations of the Board of Regents and Commissioner of Education, the laws and regulations of the United States, statutes of the State of California, and the policies, rules, and regulations established by the Discovery Charter School Board. Additionally this individual will be responsible for the day-to-day operations of the original Discovery Charter School. In the capacity of a school Director will administer and supervise the school and its employees, lead development of educational program improvement, foster a culture of positive, engaged learners, and serve as a strong advocate for the school's developmental philosophy and parental involvement. See Attachment 26: Discovery Charter School Parent Agreement.

D. Director

Under direction of the Superintendent/Executive Director, is responsible for the day-to-day operations of his/her Discovery Charter School. Serves as leader of educational programming and advises the Superintendent/Executive Director and the Discovery Board regarding budget decisions, board policies, programming, etc. In collaboration with the Superintendent/Executive Director successfully implements Board policies, administers and supervises the school and its employees, leads development of educational program improvement, fosters a culture of positive, engaged learners, and serves as a strong advocate for the school's developmental philosophy and parental involvement. See Attachment 23: Job Descriptions.

E. Parent Participation

Parent participation at each Discovery Charter School is vital to the success of a program based on small group developmental instruction. Each family will make an educated decision to choose to enroll their child in the Charter School's program. Each family will be asked to complete a commitment form which specifies how the family will contribute to the success of the program.

The Discovery Board has adopted policies to specify the details of parent participation. Such policies will be included in the parent handbook provided to all parents. Through these policies Discovery II will strive to ensure that parents can participate in ways which reflect their own skills, interests, and talents, as well as taking into consideration classroom/program needs and the constraints of family, work, and other commitments outside of Discovery II.

In addition, Discovery II is committed to supporting parents in their participation by providing parent education through teacher-led meetings, speaker meetings, and a parent education library available to all parents.

F. Program Site Council

The Program Site Council's (PSC) main function within the Discovery Charter School organization is to support the various school programs the Director and teachers have adopted to supplement classroom curriculum, enrich school life, and enhance the school community.

The PSC is a volunteer organization run by parents and teachers. Each parent-led program has a group of volunteers that works together to monitor and implement the specific requirements of each program. A volunteer coordinator from these committees can represent the group at monthly PSC meetings.

The PSC leadership consists of officers such as President, Vice President, Secretary, Treasurer, teacher representatives, the Director, Lead Classroom Coordinator, and one coordinator for each parent-led program. All Discovery parents and teachers are welcome to attend and participate in PSC meetings. The Program Site Council holds monthly meetings to discuss school activities. The Program Site Council is not a decision-making organization and reports to the Director. The PSC officers are selected through a nominating committee and voted on by the Discovery community.

Program Site Council oversees such programs as: Parent Participation, School Community Building, Parent-Led Enrichment Programs, After-School Activities, Library, and Parent Education.

The Program Site Council:

- Serves as a forum for the discussion of matters of interest and concern to the parents and teachers of the school in regard to school programs and community;
- Acts as a communication channel between parents, other individuals, and groups both within and outside of the school community, by means such as: Parent and Student Handbooks, school newsletter, and the school-wide Yahoo group;
- Works as an advisory body to the Director to assess school community support and interests by conducting annual parent/student surveys;
- Monitors parent-led programs;
- Reports directly to the Director and implements approved changes on behalf of the Director;
- Sponsors activities that enhance the intrinsic value of the School, contributes to the fulfillment of the School's mission, and builds community through activities such as summer events, festivals, and campouts; and
- Raises and manages funds to support student enrichment programs.

See Attachment 19: Program Site Council.

G. Leadership Team

The Charter School will have its own leadership team comprised of teacher representatives from all grade levels, as well as at least one representative from the classified school staff. The leadership team will be formed to facilitate shared governance and to serve as an advisory body to the Director, represent staff interests and employee relations, provide input to the school budget, and facilitate the execution of the annual development plan for the school. For more information refer to Attachment 4: Leadership Team.

H. Student Government

Annually the students at each school will hold an election to select officers to lead each Discovery Charter School's student government. In addition, student representatives are selected from each class, K through 8. They sit on committees and provide input on decisions such as student activities and staff selection.

VIII. HUMAN RESOURCES

A. Discovery Charter School System

The original Discovery Charter School site shall serve as the main office for all of the Discovery Charter Schools. The staff located at the main office will be responsible for both the over-site of the Discovery Charter School system, as well as the original Discovery Charter School.

The main office staff consists of the Superintendent/Executive Director, the Business Services Director, a Secretary, and an Office Clerk. The Superintendent/Executive Director will oversee the entire Discovery Charter School system and education program, as well as function as the Director of the original Discovery Charter School. Reporting to the Superintendent/Executive Director and second in command is the Business Services Director. The Secretary and the Office Clerk will report to the Business Services Director.

Each new Discovery Charter School will employ an administration staff consisting of a school Director, an Office Manager, and a Secretary. The Director shall be the head of each school with school staff reporting to the school Director. Each school Director will report directly to the Superintendent/Executive Director. The Office Manager of each school will also report to the Business Services Director in regards to budget reporting and fiscal management.

B. Qualifications of School Employees

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

Discovery II shall recruit professional and qualified personnel who believe in the philosophy of the school for all staff positions. In accordance with Education Code 47605(d), Discovery II shall be nonsectarian in its employment practices and all other operations. The Charter School shall not discriminate against any individual (employee or pupil) on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). See Attachment 22: Employee Recruitment Plan.

All employees should possess the personal characteristics, knowledge, and relevant experience consistent with the responsibilities and qualifications identified in the posted job description as determined by the Charter School. For job descriptions of the positions that will be hired at each replication charter, see Attachment 23: Job Descriptions.

All Charter School employees shall be fingerprinted and shall successfully pass all required Department of Justice/Federal Bureau of Investigations checks and background checks that provide for the health and safety of the School’s faculty, staff, and students prior to beginning work.

See Attachment 20: Employee Organization Chart.

Director

Under direction of the Superintendent/Executive Director the Director supervises the teachers and non-instructional staff and shall operate as the chief executive officer managing the day-to-day functions of each School. The Director shall act as the instructional leader at the School and shall be responsible for helping the School's students achieve outcomes as outlined in the Educational Program.

Candidates for this position will possess:

- Excellent communication and community-building skills;
- Extensive knowledge of and experience with curriculum development and developmentally-based educational programs;
- A thorough knowledge of Special Education needs and issues;
- Strong leadership capabilities; and
- Experience in performance assessment.

This individual must meet all of the following minimum requirements:

- Bachelors Degree in education or related field (required)
- MA or equivalent (desirable)
- California Administrative and Teaching Credential (desirable)
- Teach or Experience in Related Field (desirable)

The Board reserves the right to consider candidates based upon a combination of education and experience

Teachers

“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 chartering authority. It is the intent of the Legislature that charter schools be given flexibility with regard to noncore, non-college preparatory courses. - California Education Code Section 47605(l).

Teaching faculty, as providers of the day-to-day teaching and guidance to the students, are the primary resources of the School.

Core, college-prep teachers will be responsible for, among other things:

- Core subject instruction in mathematics, language arts, science, and history/social studies;

Curriculum planning;
Collaboration with fellow faculty and administrators;
Student assessment; and
Communication with parents.

Candidates for these positions will possess:

A commitment to students and learning;
Knowledge about their subject material; and
A willingness to be innovative and dynamic in their instruction methods.

These individuals must meet all of the following minimum requirements:

Bachelor's Degree and

Valid California Teaching Credential(s), certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold as required for the relevant grade(s) and appropriate supplemental or multi-subject credential(s), as applicable.

In addition, core teachers shall meet the applicable definitions of the highly qualified requirements.

The Charter School will hire substitute teachers in accordance with applicable law.

Office Manager

Under direction of the Director of Business Services, the Office Manager is responsible for the day-to-day operations at Discovery II including, but not limited to, fiscal services, reporting requirements, operations, enrollment, transportation, nutrition services, information technologies, purchasing/warehouse, and facilities. The Office Manager serves as an advocate for the school's developmental philosophy and parental involvement. Candidates for this position will possess knowledge, skills, and abilities in the following:

Principles and practices of public school services and administration;
Personnel and finance administration and sources of information related to public school issues;
Research methods and report writing; and
Effective public relations techniques.

The candidate must meet all of the following minimum requirements:

Any combination of education and/or experience equivalent to completion of a Bachelor's Degree in Public or Business Administration or related field; and

Three (3) years related experience in fiscal services, administration, and human resources. Experience with a public school is preferred.

School Secretary

Under direction of the Director, the School Secretary is responsible for the day-to-day operations at Discovery II including, but not limited to, enrollment, transportation, nutrition services, purchasing/warehouse, and facilities. The School Secretary serves as an advocate for the school's developmental philosophy and parental involvement.

Candidates for this position will possess knowledge, skills, and abilities in the following:

Principles and practices of public school services and administration;

Personnel and finance administration and sources of information related to public school issues;

Research methods and report writing; and

Effective public relations techniques.

The candidate must meet all of the following minimum requirements:

Any combination of education and/or experience equivalent to completion of a Bachelor's Degree in Public or Business Administration or related field; and

Three (3) years related experience in fiscal services, administration, and human resources. Experience with a public school is preferred.

C. Compensation and Benefits

Salary, Health, and Welfare Benefits

Employees of Discovery Charter Schools shall receive compensation packages which are competitive with local public charter schools. Benefits shall include, but are not limited to, health, dental, and vision.

Revenues and expenditures will be reviewed annually, and a recommendation will be made to the Discovery Board for cost of living adjustments and incentive pay to remain competitive.

D. Other Terms and Conditions of Employment

Discovery II will provide opportunities for teachers and other professionals to continue their professional development. See Attachment 24: Employee Development Plan.

Evaluation procedures will be conducted in a manner established by the administration and approved by the Discovery Board. Discipline and dismissal procedures for School employees will be developed by the administration and approved by the Discovery Board. See Attachment 25: Teacher Evaluation Process.

IX. HEALTH AND SAFETY

“The procedures that the school will follow to ensure the health and safety of the 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)

The Discovery Board has adopted and implemented a comprehensive set of health, safety, and risk management policies. These policies are incorporated as appropriate into the School’s student and staff handbooks and will be reviewed on an ongoing basis by the School’s staff and Board. These policies have been developed in consultation with the School’s insurance carriers and at a minimum will address the following:

Procedures for Background Checks

Employees and contractors of the Charter School will be required to submit to a criminal background check and to furnish a criminal record summary as required by Education Code Sections 44237 and 45125.1. All new employees must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The Superintendent/Executive Director of Discovery Charter Schools shall monitor compliance with this policy and report to the Charter School Board of Directors on a quarterly basis. Each Discovery II Director shall monitor the fingerprinting and background clearance at his Discovery II Charter School. The Board President shall monitor the fingerprinting and background clearance of the Superintendent/Executive Director. All volunteers shall be fingerprinted and receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

Role of Staff as Mandated Child Abuse Reporters

All non-certificated and certificated staff will be mandated child abuse reporters and will follow all applicable reporting laws, the same policies and procedures used by the District.

TB Testing

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

Immunizations

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

Medication in School

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

Vision, Hearing, and Scoliosis

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

Diabetes

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

1. A description of type 2 diabetes.
2. A description of the risk factors and warning signs associated with type 2 diabetes.
3. 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.
4. A description of treatments and prevention of methods of type 2 diabetes.
5. A description of the different types of diabetes screening tests available.

Emergency Preparedness

The Charter School has adopted an Emergency Plan drafted specifically to the needs of the school site in conjunction with law enforcement and the Fire Marshall. See Attachment 21: Discovery Emergency Plan. This handbook includes, but shall not be limited to, the following responses: fire, flood, earthquake, terrorist threats, and hostage situations.

Blood Borne Pathogens

The Charter School shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the work place. Discovery II has established a written infectious control plan designed to protect employees and students from possible infection due to contact with blood borne viruses, including human immunodeficiency virus (“HIV”) and hepatitis B virus (“HBV”).

Whenever exposed to blood or other bodily fluids through injury or accident, staff and students shall follow the latest medical protocol for disinfecting procedures.

Drug Free/Alcohol Free/Smoke Free Environment

The Charter School shall function as a drug, alcohol, and tobacco free workplace.

Facility Safety

The Charter School shall comply with Education Code Section 47610 by either utilizing facilities that are compliant with the Field Act or facilities that are compliant with the California Building Standards Code. The Charter School agrees to test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times. The Charter School shall conduct fire

drills as required under Education Code Section 32001 and in conjunction with the District (if at District facilities).

Comprehensive Sexual Harassment Policies and Procedures

The Charter School is committed to providing a school that is free from sexual harassment, as well as any harassment based upon such factors as race, religion, creed, color, national origin, ancestry, age, medical condition, marital status, sexual orientation, or disability. The Charter School has developed a comprehensive policy to prevent and immediately remediate any concerns about sexual discrimination or harassment at the Charter School (including employee to employee, employee to student, and student to employee misconduct). Misconduct of this nature is very serious and will be addressed in accordance with the Charter School's sexual harassment policy.

Health Care and Emergencies

Discovery II recognizes the importance of taking appropriate action whenever an accident or illness threatens the safety, health, or welfare of a student at school or during school-sponsored activities.

To facilitate immediate contact with parents/guardians when an accident or illness occurs, the Charter School requires parents/guardians to furnish the school with current contact information.

X. RACIAL AND ETHNIC BALANCE

“The description of how the charter will ensure a racial and ethnic balance among its pupils that is reflective of the general population residing in the territorial jurisdiction of the district to which the charter petition is submitted.” - California Education Code 47605(b)(5)(G)

Discovery II programs and activities shall be free from discrimination. Discovery II shall not discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics).

Discovery II will strive to achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the District. Discovery II will implement a student recruitment strategy (see Attachment 29: Discovery Charter School Marketing and Community Outreach Plan) that includes, but is not necessarily limited to, the following elements or strategies:

- 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 appropriate development of promotional and informational materials in languages other than English to appeal to limited English proficient populations;
- Outreach meetings in several areas of the District to reach prospective students and parents; and

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.

If this charter is approved by the District, the Charter School shall meet with the District and work collaboratively to ensure that the approval of the charter petition will not detract or undermine the District’s ability to fully comply with its federal court obligations under *Vasquez vs. San Jose Unified School District*.

XI. ADMISSION REQUIREMENTS

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

A. Student Admission Policies and Procedures

Discovery II believes that all children should have the opportunity to receive educational services.

Discovery II shall maintain procedures which provide for the verification of all admissions requirements specified in law and in Discovery policies and regulations.

Discovery II shall strive, through recruitment and admissions practices, to achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the District.

Students shall be considered for admission without regard to any of the characteristics described in Education Code Section 220.

Discovery II shall strive to achieve a student population from the District area who understand and value the Charter School’s mission and vision statements and are committed to the Charter School’s instructional and operational philosophy.

Discovery II shall admit all pupils who wish to attend the Charter School. No test or assessment shall be administered to students prior to acceptance and enrollment into the school. The Charter School will comply with all laws establishing minimum and maximum age for public school attendance in charter schools. Admission, except for in the case of a public random drawing, shall not be determined by the place of residence of the pupil or his or her parents.

The Charter School’s application process is comprised of the following:

1. Parent attendance at a school information meeting and school tour
2. Completion of a student registration packet

Registration packets for students who are admitted will also gather the following:

1. Enrollment Form
2. Proof of Immunization
3. Home Language Survey
4. Completion of Emergency Medical Information Form
5. Proof of minimum age requirements, e.g. birth certificate
6. Release of records

Admission to Discovery II requires a commitment from both students and parents to the mission and vision of the Charter School as set forth in the Charter. All parents or guardians shall be required to attend a school information meeting and a school tour. An application packet will not be considered to be complete until both of these meetings have been attended. The completed application packet shall include a signed agreement indicating they understand and will abide by the Charter School's philosophy, program, and policies concerning parent participation and fingerprinting and background checks. See Attachment 26: Discovery Charter School Parent Agreement.

Discovery shall admit all students who submit a complete enrollment application and wish to enroll in the school subject only to capacity. See Attachment 28: Enrollment and Admission Procedures.

Public Random Drawing

Applications will be accepted during a publicly advertised open application period each year for enrollment in the following school year. Following the open enrollment period each year, applications shall be counted to determine whether any grade level has received more applications than availability. If the number of students applying for any grade exceeds the expected capacity for that grade, public random drawing shall be conducted for the oversubscribed grades for those applicants who submitted complete application packets during the open enrollment period. Existing students of the School are not subject to the public random drawing and are guaranteed admission in the following school year. See Attachment 27: Public Random Drawing Policy.

Public random drawing rules, deadlines, dates and times for the random drawing will be communicated in the enrollment applications, on the Discovery website and in the school office. Public notice for the date and time of the public drawing will also be posted once the application deadline has passed. The Charter School will also inform parents of all lottery applicants and all interested parties of the rules to be followed during the lottery process, location, date, and time of the lottery via mail or email at least two weeks prior to the lottery date.

Admission preferences in the case of a public random drawing shall be given to the following students in the following order:

Year 1:

- A. Founding Families
- B. Children of paid Discovery staff
- C. ELL students of District
- D. Residents of District
- E. All other California residents

Year 2:

- A. Founding Families
- B. Siblings of currently enrolled students
- C. Children of paid Discovery staff

- D. ELL students of District
- E. Residents of District
- F. All other California residents

A waiting list of applicants at each grade level shall be maintained to fill vacancies that occur during the school year. Applicants who were waitlisted in the previous year will be given preference within their numbered priority group in a subsequent year's lottery.

Pursuant to federal and state guidelines, during any period of funding under the Public Charter Schools Grant Program ("PCSGP"), the following shall apply:

1. The public random drawing will be held as a single weighted public drawing.
 - a. Residents of the District will be given a 2:1 weighting factor, or as otherwise agreed upon with the District.
 - b. No other preferences other than for "residents of the District" shall be used during the PCSGP funding period.
2. The following categories of students will be exempt from the public random drawing:
 - a. Students already enrolled in the Charter School
 - b. Children of Charter School teachers and staff
 - c. Siblings of enrolled students
3. No other exemptions other than those listed above in 2.a through 2.c shall be used during the PCSGP funding period.
4. The sum of all exemptions for children of Charter School teachers and staff will not exceed 10% of total enrollment.
5. The sum of all exemptions for ELL children will not exceed the percentage of ELL students in the San Jose Unified School District.

During any period of funding under PCSGP, at the conclusion of the public random drawing, 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. This wait list will allow students the option of enrollment in the case of an opening during the current school year. In no circumstance will a wait list carry over to the following school year.

XII. FINANCIAL AUDITS

“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 Discovery Board shall select an independent financial auditor and oversee audit requirements.

An annual audit of the books and records of Discovery II shall be conducted as required by Education Code Sections 47605(b)(5)(I) and 47605(m). The books and records of the School shall be kept in accordance with generally accepted accounting principles and as required by applicable law, and the audit shall employ generally accepted accounting procedures. The audit shall be conducted in accordance with applicable provisions within the California Code of Regulations governing audits of charter schools as published in the State Controller’s K-12 Audit Guide.

The Discovery Board shall select an independent auditor. The auditor shall have, at a minimum, a CPA and educational institution audit experience and shall be included on the State Controllers list of approved education auditors. To the extent required under applicable federal law, the audit scope shall be expanded to include items and processes specified in applicable federal Office of Management and Budget (“OMB”) Circulars. The audit shall be conducted in accordance with the requirements described within the State Board of Education Regulations and contained in the State Controllers approved audit guide as applicable to charter schools.

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 auditor’s findings will be forwarded to the District, the Santa Clara County Superintendent of Schools, the State Controller, and to the California Department of Education by December 15th each year. Discovery Charter School’s Superintendent/Executive Director along with the Director of Business Services will review any audit exceptions or deficiencies and report to the School Board with recommendations on how to resolve them. The Discovery Board will submit a report to the District describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the District. Any disputes regarding the resolution of audit exceptions and deficiencies will be referred to the dispute resolution process described in this section of the Charter. Audit appeals or requests for summary review shall be submitted to the Education Audit Appeals Panel (“EAAP”) in accordance with applicable law.

The independent financial audit of the Charter School is public record to be provided to the public upon request.

XIII. SUSPENSION/EXPULSION PROCEDURES

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

Discovery II has developed and maintains a comprehensive set of student discipline policies. See Attachment 30: Pupil Suspension and Expulsion Procedures. These policies will clearly describe the Charter School’s expectations regarding, among other things, attendance, mutual respect, substance abuse, violence, safety, and work habits.

Each parent/guardian will be required annually to verify that they have reviewed the policies with their student/s and that they understand the policies.

The Charter School’s policies will provide all students with an opportunity or due process and will be developed to conform to applicable federal law regarding students with exceptional needs. The Charter School will notify the District of any expulsions and will include suspension and expulsion data in its annual performance report.

The Charter School acknowledges the responsibility of each student, parent, volunteer, faculty, staff, and administrator to contribute to the well-being of the community by demonstrating responsibility and accountability for individual and group actions. It is the Charter School’s goal to enhance the quality of relationships, the quality of learning, and the quality of the community through shared responsibility.

XIV. RETIREMENT SYSTEMS

“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)

All certificated employees of Discovery II shall participate in the State Teachers Retirement System (“STRS”), except that employees changing from employment covered by Public Employees’ Retirement System (“PERS”) may choose to continue to be covered by PERS or to elect participation in STRS. Non-certificated staff will participate in the federal social security system and will have access to other school-sponsored retirement plans according to policies adopted by the Discovery Board of Directors.

Discovery II shall make all employer contributions as required by STRS, PERS, or Social Security, as applicable. The Director of Business Services shall be responsible for ensuring that appropriate arrangements for retirement coverage have been made. The County will cooperate as necessary to forward any required payroll deductions and related data to STRS and PERS. Discovery II shall also make contributions for workers compensation insurance, unemployment insurance, and any other payroll obligations of an employer.

XV. 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 47605(b)(5)(L)

No pupil shall be required to attend Discovery II. Each student enrolled at Discovery II will be informed on admissions forms that the student has no right to admission in a particular school of any local education agency (or program of any local education agency) as a consequence of enrollment in Discovery II, except to the extent that such a right is extended by the local education agency.

Students who reside within the District who choose not to attend the Charter School may attend school within the District according to District policy or at another school district or school within the District through the District’s intra and inter-district transfer policies.

XVI. DESCRIPTION OF EMPLOYEE RIGHTS OF RETURN

“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)

No public school employee shall be required to work at Discovery II. Job applicants for positions at Discovery II will be considered through an open process, and if hired, will be individually contracted as approved by the Board.

Employees of the District who choose to leave the employment of the District to work at the Charter School will have no automatic rights of return to the District after employment by the Charter School unless specifically granted by the District through a leave of absence or other agreement. Charter School employees shall have any right upon leaving the District to work in the Charter School that the District may specify, any rights of return to employment in a school district after employment in the Charter School that the District may specify, and any other rights upon leaving employment to work in the Charter School that the District determines to be reasonable and not in conflict with any law.

XVII. DISPUTE RESOLUTION

“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)

Charter School/Chartering Authority Dispute Resolution

The Discovery Board and the District agree to attempt to resolve all disputes regarding this charter pursuant to the terms of this section. All parties shall refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process.

The intent of this dispute resolution process is to:

- Resolve disputes within the school pursuant to the school’s policies;
- Minimize oversight burden on the District;
- Ensure a fair and timely resolution to disputes; and
- Frame a charter renewal process and timeline so as to avoid disputes regarding renewal.

Disputes Arising From Within the School

Disputes arising from within Discovery II, including all disputes between students, staff, parents, volunteers, advisors, partner organizations, and governing board members shall be resolved pursuant to the policies and processes developed by the School.

The District shall not intervene in any such internal disputes without the consent of the Board of Discovery and shall refer any complaints or reports regarding such disputes to the Board or the Superintendent/Executive Director of Discovery Charter Schools for resolution pursuant to the school’s policies. The District agrees not to intervene or become involved in an internal dispute unless the dispute has given the District reasonable cause to believe that a violation of this charter or laws or issues of student health or safety have occurred, or unless the Board of the School has requested the District to intervene in the dispute.

Disputes Between the School and the District

In the event of a dispute between Discovery and the District, the Board of the School and the District agree to first frame the issue in writing and refer the issue to a District representative and the Superintendent/Executive Director of Discovery. The written notification must identify the nature of the dispute and any supporting facts and the proposed resolution. In the event that the District believes that the dispute relates to an issue that could lead to the revocation of the charter under California Education Code Section 47607, this shall be specifically noted in the written dispute statement.

The Superintendent/Executive Director and the District representative shall informally meet and confer in a timely fashion to attempt to resolve the dispute. In the event that this informal meeting fails to resolve the dispute, both parties shall identify two members from their respective Boards who shall jointly meet with the District representative and the Superintendent/Executive Director of Discovery Charter Schools. If this joint

meeting fails to resolve the dispute, the District representative and the Superintendent/Executive Director shall meet to jointly identify a neutral, third party mediator. Mediation shall occur before a mutually agreeable mediator who is skilled in the interest-based approach to mediating disputes in the public school setting. The format of the mediation session shall be developed jointly by the District representative and the Superintendent/Executive Director, and shall incorporate informal rules of evidence and procedure unless both parties agree otherwise. Each party shall bear its own costs and expenses related to the mediation. The mediator's fees and the administrative fees of the mediation shall be shared equally among the parties. Any recommendations of the mediator shall be non-binding, unless the Board of Discovery Charter School and the District jointly agree to bind themselves.

If mediation is not successful, then the parties agree to settle the controversy, claim, or dispute by arbitration conducted by a single arbitrator in accordance with the rules or guidelines of the American Arbitration Association. The arbitrator must be an active member of the California State Bar or a retired judge of the state or federal judiciary of California. Each party shall bear its own costs and expenses. However, any party who fails or refuses to submit to mediation shall bear all costs and expenses incurred by such other party in connection with arbitration of any controversy, claim, or dispute.

XVIII. EMPLOYEE RELATIONS

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

Discovery Charter School is the exclusive public school employer of the employees of the Charter School for the purpose of the Education Employment Relations Act (“EERA”). Discovery Charter School shall comply with the EERA.

XIX. CLOSURE PROTOCOL

“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)

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

Closure of the School shall be documented by official action of the Discovery Board. The action shall identify the reason for closure and shall delegate to the Superintendent/Executive Director the responsibility to manage the closure-related activities and dissolution process.

Should Discovery II close, the following procedures will be followed to ensure an orderly closing of the school:

- 1) Notification of the closure of the Charter School within 10 days to parents/guardians of students, students, the District, SCCOE, the Charter School’s SELPA, the State Teachers Retirement System, the Public Employees Retirement System, or any other qualified retirement system in which the school’s employees participate, and the California Department of Education, providing at least the following:
 - (a) The effective date of the closure;
 - (b) The name(s) of and contact information for the person(s) to whom reasonable inquiries may be made regarding the closure;
 - (c) The students’ school districts of residence; and
 - (d) The manner in which parents/guardians and students may obtain copies of student records, including specific information on completed courses and credits that meet graduation requirements.
- 2) Provision of a list of students in each grade level and the classes they have completed, together with information on the students’ districts of residence, to the responsible entity.
- 3) As applicable, the Charter School will provide parents, students and the District with copies of all appropriate student records and will otherwise assist students in transferring to their next school. Transfer and maintenance of all student records, all state assessment results, and any special education records to the custody of responsible entity, except for records and/or assessment results that the charter may require to be transferred to a different entity. Parents will be notified of placement options for their student(s). Employees will be notified of their rights for reemployment.
- 4) All transfers of student records shall be made in compliance with the Family Educational Rights and Privacy Act (“FERPA”), 20 U.S.C. §1232g. 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. The Charter School will ask the District to store original

records of Charter School students. All records of the Charter School shall be transferred to the District upon the Charter School's closure. If the District will not or cannot store the records, the Charter School shall work with the County to determine a suitable alternative location for storage.

- 5) Completion of an independent final audit within six months after the closure of the school that may function as the annual audit. Discovery II will pay for the final audit. The audit shall be prepared by a State-Controller-approved firm and qualified Certified Public Accountant selected by the Discovery Charter School Board and shall be provided to the District promptly upon completion. It shall include at least the following:
 - (a) An accounting of all financial assets, including cash and accounts receivable, and an inventory of property, equipment, and other items of material value.
 - (b) 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.
 - (c) An assessment of the disposition of any restricted funds received by or due to the Charter School.
- 6) Disposal of any net assets remaining after all liabilities of the Charter School have been paid or otherwise addressed, including but not limited to, the following:
 - (a) Any assets acquired from the District or District property will be promptly returned upon the Charter School's closure to the District.
 - (b) The 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.
 - (c) The return of any donated materials and property in accordance with any conditions established when the donation of such materials or property was accepted.
- 7) Completion and filing of any annual reports required pursuant to Education Code section 47604.33.
- 8) Identification of funding for the activities identified in sections 1) through 8) above.

On closure of the Charter School, all assets of the Charter School, including, but not limited to, all leaseholds, tangible and intangible personal property, and all ADA apportionments and other revenues generated by students attending the school, remain the sole property of the corporation and shall be distributed in accordance with the Charter School's articles of incorporation and applicable law upon dissolution of the Charter School. On closure, the Charter School shall remain solely responsible for satisfaction of all liabilities arising from the operation of the school.

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

Additional policies and procedures will be determined as needed by the Discovery Board based on the needs of the school and the District.

XX. MISCELLANEOUS PROVISIONS

A. Budgets

“The petitioner or petitioners shall also be required to provide financial statements that include a proposed first-year operational budget, including startup costs, and cashflow and financial projections for the first three years of operation.” - Education Code Section 47605(g).

In Attachment 33: Discovery Charter School Multi-Year Financial Projections, please find the following:

- A projected first-year budget including startup costs and cash flow
- Budget assumptions
- Financial projections for the first three years of operation

These documents are based upon the best data available to the Petitioners at this time.

B. Financial Reporting

The Charter School shall provide reports to the District as follows, and shall provide additional fiscal reports as requested by the District:

1. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement.
2. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31.
3. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
4. By September 15, a final unaudited report for the full prior year. The report submitted to the District shall include an annual statement of all the Charter School’s receipts and expenditures for the preceding fiscal year.

The Discovery Board shall adopt and implement systems and processes, including establishment of a fiscal oversight committee and designation of a Discovery liaison to work with the District, to keep track of financial data and compile information in the prescribed format needed for the reports listed above, and to ensure that the above information is provided to the District in timely fashion.

C. Insurance

The Charter School will maintain, at its own expense, its own insurance policies for the operation of the Charter School, including but not limited to, workers compensation, general liability, property, and errors and omission policies of the type and in the amounts required for an enterprise of similar purpose and circumstance. Coverage amounts will be based on recommendations provided by the LEA in which the school is housed and the Charter School's insurer. That LEA's governing board shall be named as an additional insured on all policies of the Charter School. Prior to opening, the Charter School will provide evidence of the above insurance coverage to the LEA.

D. Administrative Services

"The manner in which administrative services of the school are to be provided." - Education Code Section 47605(g).

Any charter-requested services from the District will be on a fee-for-service basis by mutual agreement in a separate written agreement. Mutually agreed upon fees must be in place prior to the charter-requested service. Discovery II will establish a competitive bid process balancing quality and price to outsource any of the services not handled in-house.

The statutory supervisory oversight fee of up to 1% of the Charter School's revenue will be paid to the District for actual costs of oversight in accordance with Education Code section 47613.

Subject to availability, Discovery II may request District services on a fee-for-service basis, including, but not limited to:

- Student health and human services, including access to school mental health and suicide prevention services, support from crisis team, and access to audiology services;
- Fingerprinting and criminal record processing;
- Processing of emergency credentials;
- Bilingual fluency testing;
- Non-stock requisition processing;
- Rubbish disposal;
- District purchasing contracts;
- Environmental health/safety consultation;
- Field trip transportation;
- School mail;
- Student information system;

- Food services;
- Risk management; and
- Attendance accounting.

E. Facilities

“The facilities to be utilized by the school. The description of the facilities to be used by the charter school shall specify where the school intends to locate.” - Education Code Section 47605(g).

Classroom and ancillary space for Discovery II will be required to house at least 490 students in a minimum of 23 classrooms, including support and office space, for grades K – 8. Discovery II shall be located within the boundaries of the San Jose Unified School District.

Discovery II intends to submit a request for Prop 39 facilities within the District under the terms of California Proposition 39 and its implementing regulations. Discovery II requires a fully equipped, contiguous school site to successfully and safely operate its program under this charter. Discovery II reserves the right to find alternative facilities, and will inform the District of changes in its facility plans.

Under Proposition 39, passed by California voters on 11/07/2000, school districts are required to “make available to each charter school operating within the school district, school facilities sufficient for each charter school to accommodate all of the charter school’s in-district students in conditions reasonably equivalent to those in which the students would be accommodated if they were attending other public schools of the school district. In addition, the school district must make reasonable efforts to provide the charter school with facilities near to where the charter desires to be located.” (See Education Code section 47614(b)).

The school district may charge the charter school a pro-rata share (based on the ratio of space allocated by the school district to the charter divided by the total space of the district) for those district facility costs which the district pays for with unrestricted general fund revenues. The charter school shall not be otherwise charged for use of district facilities. How this translates into actual cost to Discovery II will be decided in negotiations with the District in which Discovery II schools shall operate and in accordance with the State Board of Education Regulations implementing Proposition 39.

The petitioners shall discuss with the District the specific terms, rights, and responsibilities related to the location of the Charter School on a District facility pursuant to Education Code Section 47614 and its implementing regulations.

F. Transportation

Since Discovery II is a school of choice, it will be the responsibility of parents/guardians to provide transportation of students to and from the school. Transportation will not be provided to and from school, except as required by law for students with disabilities in accordance with a student’s IEP.

G. Potential Civil Liability Effects

“Potential civil liability effects, if any, upon the school and upon the District.” - Education Code Section 47605(g).

Discovery II shall be operated by a California non-profit public benefit corporation. Discovery II 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. The central objective of the corporation is to provide public education for residents of the State of California, in accordance with the Charter Schools Act, California Education Code Section 47600, et seq.

As such, in accordance with Education Code Section 47604(c), if the District complies with all oversight responsibilities required by law, the District shall not be liable for the debts or obligations of the Charter School or for claims arising from the performance of acts, errors, or omissions by the Charter School. The Charter School shall work diligently to assist the District in meeting any and all oversight obligations under the law, including monthly meetings, reporting, or other District-requested protocol to ensure the District shall not be liable for the operation of the Charter School.

Further, the School and the District shall enter into a Memorandum of Understanding (MOU), which shall provide for indemnification of the District for the actions of the Charter School under this charter.

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

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

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

H. Oversight, Reporting, and Renewal

Discovery II and the District agree to work together to accomplish all tasks necessary to fully implement this charter, including, but not limited to, the submission of any necessary and duly-prepared waiver requests to the State Board of Education.

The District may inspect or observe any part of Discovery II at any time. Discovery II requests that the District provide notice to Discovery II at least three working days prior to the inspection or observation. If the District Board believes it has cause to revoke this charter, the District shall follow the process and procedures for charter revocation as set forth in Education Code Section 47607 and its implementing regulations.

The governing board of Discovery may request from the District Board a renewal of the charter at any time. The District Board agrees to hear and render a renewal decision pursuant to the timelines and processes specified in the California Education Code Section 47605(b) and California Education Code Section 47607 and its implementing regulations.

All official communications between Discovery and the District shall be in writing and shall be either hand delivered, sent by telecopy or facsimile, sent by U.S. Mail, postage prepaid, and addressed to those set forth below (except that a party may from time to time give notice changing the address for this purpose). A notice shall be effective either when personally delivered, on the date set forth on the receipt of a telecopy or facsimile, or upon the earlier of the date set forth on the receipt of registered or certified mail or on the fifth day after mailing.

Superintendent/Executive Director
Discovery Charter Schools
4021 Teale Ave
San Jose, CA 95117

San Jose Unified School District
855 Lenzen Ave.
San Jose, CA 95126

XXI. ATTACHMENTS

The following attachments are intended to provide additional information regarding Discovery II. These documents are intended for informational purposes only and to assist the District in understanding how Discovery II shall operate. These, as informational documents, do not constitute a legally binding contract or agreement, are not intended to govern the relationship of Discovery II and the District, and are not a part of the charter of Discovery II or any related agreements or memoranda of understanding.

ATTACHMENT 1: COMPLIANCE WITH THE BROWN ACT AND THE PUBLIC RECORDS ACT

Discovery Charter School Compliance with the Brown Act and Public Records Act

(As required by County Board Administrative Regulations 6230
Section 2.0 subdivision (d) and subdivision (e).)

Public Records Act:¹

Discovery Charter School (the “Charter School”) recognizes and shall comply with applicable requirements under the Public Records Act, California Government Code Section 6251 *et seq.*, including but not limited to the requirements to respond to requests for public records within 10 days and to provide public records within a reasonable amount of time thereafter as required by law. Additionally, Discovery Charter School recognizes that Education Code Section 47604.3 requires the Charter School to promptly respond to all inquiries, including, but not limited to, inquiries regarding its financial records from the chartering authority (i.e., the County Board of Education), and the Superintendent of Public Instruction. Discovery Charter School fully intends to comply with this Section as it relates to all records of the approved charter. However, it should be noted that the Charter School is cognizant of its responsibility to comply with the Family Educational Rights and Privacy Act (“FERPA”) (20 U.S.C. 1232g) under federal law and other privacy laws related to personnel records (i.e., confidential medical information, etc.).

The Brown Act:²

Discovery Charter School, as a parent and community driven effort, values the input from parents and community members regarding the educational design and operation of the Charter School. Discovery Charter School is committed to compliance with all applicable state and federal laws. Discovery Charter School shall comply with applicable requirements of the Brown Act, Government Code 54950 *et seq.* including, but not limited to the notice requirements, the open meeting requirements, and all requirements for giving the public an opportunity to be heard.

Furthermore, Discovery Charter School is committed to compliance with all state and federal laws preventing conflicts of interest.

¹Administrative Regulation Section 6230, Section 2.0(d) states: “A description of how the charter school will facilitate the sponsoring agency’s compliance with the Public Records Act.” Petitioner is not entirely clear what the County Board intended by this section. In Board Policy 6230 Section 2.1, the sponsoring agency is defined as the school district that denied the petition. We assume, however, for purposes of the charter petition, that the County Board would like a description of how the Charter School intends to comply with the Public Records Act. As such, the following description is intended to outline how the Charter School will comply with the Public Records Act.

²Administrative Regulation Section 6230, Section 2.0(d) states: “A description of how the charter school will facilitate the sponsoring agency’s compliance with the Brown Act.” Petitioner is not entirely clear what the County Board intended by this section. In Board Policy 6230 Section 2.1, the sponsoring agency is defined as the school district that denied the petition. We assume, however, for purposes of the charter petition, that the County Board would like a description of how the Charter School intends to comply with the Brown Act. As such, the following description is intended to outline how the Charter School will comply with the Brown Act.

ATTACHMENT 2: DISCOVERY CHARTER SCHOOL BOARD

Barbara Eagle - *Chairman of the Board of Directors and President Discovery Charter School*

Office of Development Manager, Stanford University. Experience: Founder Discovery Charter School, Co-Founder Eaglevision Productions, VP of Marketing & Business Development. Experience: Special Projects Director, Sun Microsystems, Inc.; Department Head Genigraphics Corp.; Marketing Manager, Sorcim. San Jose State University.

Term expires June 2013.

Stephen A. Fiss - *Discovery Charter School Board Director*

Superintendent/Executive Director Discovery Charter School (Retired); Adjunct Faculty Member, Department of Educational Leadership, San Jose State University; Founder/Board Advisor - Communitas Charter High School; Superintendent (Retired) Scotts Valley Unified School District and Gridley Unified School District

Term Expires June 2013.

Joan McCreary - *Discovery Charter School Board Director and Corresponding Secretary*

Owner, Joan McCreary Professional Organizer. Experience: Founder Discovery Charter School; Program Site Council President (Past), Discovery Charter School; Product Manager, Oratec Interventions; Clinical Research Associate, VidaMed Inc.; B.A. in International Relations and French, University of California at Davis.

Term expires June 2014.

Susan Michels - *Discovery Charter School Board Director and Vice President*

Administrative Assistant, Berge & Berge Law Offices; Program Site Council President/Vice President, Discovery Charter School; PTO President, Easterbrook Discovery School; Corporate Communications associate, S3 Inc.; Corporate Communications Associate/Trade Show Manager, Adaptec, Inc.; B.A. in English, Central Michigan University.

Term expires June 2014

Raquel Watjen - *Discovery Charter School Board Director*

Project Management, Finance, Apple; Marketing, 3Com; Certified Positive Discipline Parenting Educator; B.S., Business Management, San Jose State University.

Term expires June 2013.

ATTACHMENT 3: STRATEGIC PARTNERS

Beginning Teacher Support and Assessment (BTSA)

Beginning Teacher Support and Assessment (BTSA), is a state-funded induction program, co-sponsored by the California Department of Education (CDE) and the Commission on Teacher Credentialing (CCTC) designed to support the professional development of newly-credentialed, beginning teachers and fulfill the requirements for the California Clear Multiple and Single Subjects Credentials.

Discovery is using the Santa Cruz/Silicon Valley New Teacher Project which is a collaborative effort among the Teacher Education Program of the University of California at Santa Cruz, the Santa Cruz County Office of Education, and school districts in a five county region. Led by Ellen Moir, Executive Director of the New Teacher Center at UCSC, and Wendy Baron, Associate Director of the New Teacher Center at UCSC, the Project has supported more than 2,500 first and second year teachers since its inception in 1988.

California Charter Schools Association

The California Charter Schools Association (CCSA) is a professional membership organization serving more than 500 public charter schools in the State of California. The CCSA mission is to increase student achievement by strengthening and expanding public charter schools throughout California.

The Association's vision is that by the year 2014, more than 10 percent of California public school students, representing over 670,000 students, will be attending high quality public charter schools.

The Association serves its membership and strengthens the charter school movement through its focus in the following areas:

Advocacy

The Association is the collective grassroots voice of California's charter schools and charter school stakeholders. CCSA aggressively advocates for increased flexibility and funding for all public charter schools.

Leadership & Quality

The Association focuses on leadership development and accountability in a manner that helps the charter school movement to grow. The goal is to bring high-quality charter schools to every community in order to bring about lasting reform.

Membership Services & Products

The Association provides an array of products, services, expertise, and financial tools to strengthen the member schools and allow them to focus on what matters most—educating students.

Charter Schools Development Center

California Schools Development Center (CSDC), a 501(c)(3) non-profit corporation and Community Development Financial Institution (CDFI), promotes innovation and excellence in education by financing and developing facilities for great public charter schools nationally. As the only CDFI in the country focused exclusively on the facility and financing needs of charter school organizations, CSDC helps charter school entrepreneurs and leaders finance, build, expand, and replicate their school models, turning educational visions

into reality, with the goal of ultimately improving student achievement by increasing school choice and catalyzing competition within the American K-12 public education system.

EdTec, Inc.

EdTec delivers high-value business, charter development, educational support, and technology services - *exclusively* to charter schools. Since inception in 2001, EdTec has assisted more than 150 charter schools and developers, allowing school leaders and staff to focus more of their limited resources on classroom instruction and improving student achievement.

EdTec provides charter schools with the expertise they require and has the economies of scale to hire senior experienced personnel who specialize in different areas of school management and can help develop benchmarks of best practices. Their offerings include: Finance and accounting, Business Services, and Human Resources. Additional offerings include: Charter Development, Renewals & Grant Writing, Facilities Assistance, Student Information & Assessment Systems, Governance Training, and Strategic Planning.

Hosaka, Rotherham & Company - Certified Public Accountants

Hosaka, Rotherham & Company is an accounting firm founded in 1977. The firm specializes in financial audits of government entities. This includes fire protection, and water districts, charter schools, school districts, not-for-profit organizations, American Indian tribes, private enterprise entities, and other governmental projects.

Santa Clara County Office of Education

The Santa Clara County Office of Education (SCCOE) is a champion of public education, serving as an exemplary regional resource to students, parents, school districts, community agencies and businesses.

The Santa Clara County Office of Education (SCCOE) provides instructional, administrative, human resources, business and technical support services to the county's 32 school districts. Centralizing services such as payroll, employee fingerprinting and Internet connections, to help districts to achieve greater efficiency and cost-savings.

SCCOE programs that provide direct instruction include Special Education, Head Start, Parkway, Environmental Education, Regional Occupational Programs and Alternative Schools. An additional program, Migrant Education, supports the special needs of migratory children.

Discovery works closely with the Santa Clara County Office of Education staff in a number of areas. SCCOE staff visits the Discovery Charter School campus and meets with staff to conduct requested audits of Discovery's programs and practices as required in the MOU. In addition, Discovery takes advantage of the expertise of County staff and resources in such areas as: curricular planning, ELL services and support, special education, textbook selection and fiscal services.

Young, Minney & Corr, LLP

The Charter Law team of Young, Minney & Corr, LLP has been providing expert, effective, and responsive legal advice to California's charter school community since the inception of the Charter Schools Act of 1992. They are the leader in all areas of law that are most significant to the successful development and operation of a charter school such as: labor and employee matters, student discipline, constitutional claims, facilities, finance,

and nonprofit corporate issues. The firm has experience with representation before state and federal courts and administrative bodies.

Young, Minney & Corr has assisted hundreds of charter schools in the successful development and operations of charter schools. They currently represent more than half of California's charter schools, charter school associations, insurers, private schools, and businesses providing support services to schools in California.

Young, Minney & Corr emphasize a preventative approach to law by helping their clients anticipate legal difficulties, minimize exposure to legal claims and fees, and prevent operational disruptions. The legal team is well prepared to assist our charter school in every aspect of the school creation, expansion, and operation.

Chase Bank

Chase is a financial services company, with a mission to provide exceptional customer service. They offer everything one may need from consumer and business banking to financial services, from home loans and insurance services to specialty lending products. Business Services include: treasury management, payment services, credit, loans, and more. Chase Bank has been a supporting business partner since Discovery's charter development began in 2004.

YMCA of Silicon Valley

The YMCA of Silicon Valley is a leading nonprofit community service organization, serving Santa Clara County. YMCA enriches kids, adults, families, and communities through health, fitness & wellness programs, youth & family programs, camps, and other activities for people of all ages, incomes, and abilities. The YMCA's goal is to help build a healthy spirit, mind, and body for all - with core values of caring, honesty, respect, and responsibility at the heart of everything they do. Discovery Charter has partnered with the YMCA & the City of San Jose to provide parenting classes for Hispanic families in the surrounding Moreland School District area.

Media Partners

Bay Area Parent

Bay Area Parent Silicon Valley features local issues, as well as local connections, resources and listings. Bay Area Parent magazine is part of a national network of local parenting publications. This magazine offers parents features with national scope and local relevance. Bay Area Parent has an excellent reputation as a resource and information guide for parents.

El Observador

El Observador is a weekly Spanish language newspaper serving Latinos in the San Francisco Bay Area. El Observador's focus is on the informational needs of the local Latino (Hispanic) community in Silicon Valley, which includes San Francisco, Oakland, and San Jose. An estimated 1,250,000 Latinos reside within this area. El Observador has provided information to this community since 1980.

Silicon Valley Community Newspapers

Silicon Valley Community Newspapers serves the neighborhoods and cities throughout the Santa Clara County area. These publications provide "fiercely local" news and feature stories about people, events, schools, businesses, sports, and government, with particular emphasis on the impact of local government decisions.

ATTACHMENT 4: LEADERSHIP TEAM

The role of the Leadership Team is to:

- Represent Staff interests
- Serve as an advisory body
- Give input to the school budget
- Help with employee relations – salary, benefits

To be eligible for the Leadership Team you must:

- Be nominated, or add your name to the ballot
- Be a representative from your grade level or the classified staff
- Be in good standing

Terms of Service for the Leadership Team shall be:

- Position begins in June and will remain until June of the following calendar year
- Expected to work over the summer
- Attend monthly meetings
- Help create the agenda
- Facilitator will rotate
- Represent staff at board meetings on a rotating basis
- Represent staff at PSC on a rotating basis
- Must check in with grade level monthly

Accountability as a Team Member requires:

- Attendance at Leadership Team meetings
- Facilitator of Leadership Team meetings
- Board meeting representation
- Advocacy for grade level and school

ATTACHMENT 5: A DAY IN THE LIFE OF A KINDERGARTENER

Sami is eager to get to school this morning. He wants to get to school early so that he has time to tell his teacher about the book on sharks that he checked out from the library. As he runs to the door he is happy to see that it is already open. He signs in and chats with his teacher about the book. Sami has become very interested in ocean life over the past few months because the classroom has been immersed in the study of the ocean. Much of the learning that is occurring in the classroom is centered on the ocean theme. Yesterday, the class participated in their weekly thematic centers, which integrate all the curricular areas around the ocean. The thematic centers were designed by the teacher to cover content standards and were facilitated by the teacher and parent volunteers. Sami worked in a center where he created a book about sharks, while other students built food chains, looked online to check the temperature of different oceans, and wrote math stories using ocean animals. Sami took his shark book home to read to his parents and then went to the library to get more information.

Sami's teacher blows a train whistle and Sami puts away their projects and joins his fellow students on the rug for the morning meeting. Together they sing and sign their favorite morning song. The students sit down and the teacher announces the schedule for the day and leads them in a chant about the days of the week. As the students listen, the student of the day passes out white boards so that they can write equations for the number of the day. The teacher has students come up to share their equations and they search together for patterns in the calendar. The teacher reads a book to the class, *Swimmy*, which is part of their current author study of Leo Lionni. Sami enjoys the story, but is waiting patiently for what he knows comes next... Writer's Workshop!

Sami is eager to write about what he has learned about sharks. The teacher gives the students a mini-lesson and the students are dismissed to write. Some of the students work on books they have already started about sea creatures, others start new ones. Some students work in their journals. Each table has a parent stationed at it to help students develop their ideas and move through the writing process. These parents have been specially trained to facilitate student writing without taking away student independence so students get exactly the right amount of support. The students in this K/1 class love to write and share their writing in the Author's Chair with their classmates!

After Writer's Workshop, the students move into Reading Centers. Sami is in kindergarten, but is reading above a first grade level already. He joins his reading group made up of Kindergarten and First Grade students who all read at the same instructional level. Each reading group is working with a parent or the teacher. Some groups are reading and responding to literature and one group is playing a spelling game. The room has a quiet buzz as children enjoy learning to read.

At recess, Sami hurries out to eat snack with his classmates. Sami's family has taken their monthly turn to bring snack for the class. Sami's mother is out at the table with the classroom snack helpers setting up the snack. Students eat community style, passing food and pouring water independently. Sami enjoys his healthy snack because his mother has brought his favorite, yogurt and fruit. As he finishes and throws his trash away, he sees his Fifth Grade reading buddy sitting nearby. He walks over and chats with his buddy, sharing a little about the sharks he read about in his book, since they were just like the ones he and his buddy were reading about together the week before. He says goodbye and runs off to find some of his classmates.

It's Friday, and Sami runs to line up at the room next door. Sami is excited because it's Friday Enrichment Clubs instead of the thematic literacy centers that students usually enjoy at that time. Each week the K/1

students mix and rotate through a variety of enrichment activities. Sami runs to meet his new friends from two other classes and tells them what he has been learning about sharks. Last week, Sami's group was in the Performing Arts Enrichment Club. They learned about different kinds of music and enjoyed acting out stories about fish and did a wiggly interpretive dance. Sami always looks forward to Performing Arts, but today is his group's day to cook! The teacher reads a book about food in Asia then goes over the giant recipe printed on the whiteboard. They are making sushi today! Groups of five students work with a parent to read the recipe, measure ingredients, mix, stir and pour. When they are done, the students clean up and then write in their cooking journals about the experience. They eat the sushi together and the teacher passes out a recipe to take home. Next door, Sami can hear the familiar music he remembers from a creative movement activity in the Performing Arts Enrichment Club. Next week, Sami's group will visit the Art Enrichment Club facilitated by a parent trained especially in the Spectra Art program. The group has been working on a multi-media art piece inspired by the children's artist and author, Eric Carle. Sami is trying to decide whether to display a weaving he created in the Industrial Arts Enrichment Club or his multi-media art piece inspired by Eric Carle for the upcoming art show. Either way, he can't wait to see his work on display!

While the kindergartners at most schools go home before lunch, Sami and his kindergarten friends have a longer school day. His teacher says that is because there is so much to learn, but Sami doesn't want to go home anyway. After lunch, the students come in to read from their own "just right" book collection, specially designed to meet each child's reading needs. Sami's teacher conferences with individual students and listens while they read their "just right" books. The teacher and student talk quietly then select new books to put in their book bins. It's Sami's turn and he has his library book about sharks. His teacher asks him to read from it and talks a little with Sami about what he has learned. She suggests that Sami might want to choose the great white shark as a topic for the animal projects students will begin later in the month. Sami thinks it might be hard to choose which shark is the most interesting!

The kindergarten bell rings and it is time to go home. Sami can't wait until he is a first grader and gets to stay an hour longer. He hears all about what the first graders do after the kindergartners leave—writing, reading, more math—and it all sounds like fun. Sometimes they share their work with the class the next morning and it always gives Sami good ideas. Sami says good-bye. His family has plans to visit the Aquarium this weekend. Sami can't wait to get back to school on Monday and tell everyone about what he learns there!

ATTACHMENT 6: A DAY IN THE LIFE OF A SIXTH-GRADER

Angela arrives early today for school so she has some time to chat with her friends about the dance this Friday and the sixth grade field trip they took yesterday to participate in a Ropes Course. Angela's day begins in her homeroom. Her class is discussing Democracy, with a focus on the upcoming election. After the class learns about the process for placing a Proposition on the ballot in California, they break into small groups to draft Propositions for a future election, including pros and cons of such law, and the economic impact of each Proposition.

During math, the class breaks into small groups. Angela's math group will be going outside today with a parent volunteer to draw a number line on the blacktop including positive and negative numbers. Angela and her friends enjoy plotting ordered pairs on the number line. Then her group moves on to another math activity supervised by a parent, in which students use a cookie recipe to create a ratio table of the ingredients if the recipe is increased or decreased, while Angela's teacher supervises a separate group of students in another math activity.

After break, Angela's class divides into small groups for Language Arts. Working with a parent volunteer, Angela's group writes a review of the book, *Sea of Trolls*, by Nancy Farmer for the school newsletter. Another group of students is assisted by a parent in playing a card game involving idioms. Then students finish editing their essays describing the activities they liked most from yesterday's "Cave Day".

At first, Angela was a little surprised when she came to school and found her classroom completely dark for "Cave Day". Soon, however, she was excited to crawl underneath the tables that were covered over with blankets to simulate caves. Angela's favorite activity was painting pictographs on the walls of the caves. Her class also participated in different activities, from the scientific vocabulary and different formations of caves, the location of caves around the world, the importance of caves in the ecosystem, and the inhabitants of caves throughout history and in current times. As students explored these topics, they completed an assignment in their History Alive Interactive Notebooks.

Tomorrow, Angela and the other students will continue to rehearse for their presentation of the play "Who Was the Piltdown Man?" They will also map the migration of early hominids, and attempt to put fossils together to form a skeleton.


Angela is dismissed early today for lunch because it is her turn to help at the recycling station. After lunch and recycling, Angela hurries out to play soccer with her friends on the field.

After lunch, Angela and her friends are off to Selective classes. It was difficult for her to decide which Selective classes to take, but Angela chose two Selective classes: Service Learning, where the students are conducting a food drive, and Art, where they just completed a study of M.C. Escher and created tessellations.

Every other day, Angela takes P.E. and Spanish during the Selective periods. Next term, she will choose from a wide variety of Selective classes – Dance, Technology, Math Tutorial, Drama, Junior Achievement, Fitness, Native Art and Culture, or Communication.

Since Math is her favorite subject, Angela is enrolled in Math Club after school. Next semester, she might choose a different After School Enrichment – possibly acting, art, music, or chess. For now, Angela is focused on finishing her class projects and homework so she can go to the movies with her friends this week-end.

ATTACHMENT 7: CALIFORNIA STATE BOARD OF EDUCATION POLICY 89-01 (1994): PARENT INVOLVEMENT IN THE EDUCATION OF THEIR CHILDREN

	California State Board of Education Policy	POLICY #
		89-01
	SUBJECT	DATE
	Parent Involvement* in the Education of Their Children	September 1994
REFERENCES		
HISTORICAL NOTES		
Originally adopted January 1989. Revised September 1994		

A critical dimension of effective schooling is parent involvement. Research has shown conclusively that parent involvement at home in their children's education improves student achievement. Furthermore, when parents are involved at school, their children go farther in school, and they go to better schools.

From research studies to date, we have learned the following important facts:

1. Families provide the primary educational environment.
2. Parent involvement in their children's education improves student achievement.
3. Parent involvement is most effective when it is comprehensive, supportive, long-lasting, and well-planned.
4. The benefits of parent involvement are not limited to early childhood or the elementary level; there are continuing positive effects through high school.
5. Involving parents in supporting their children's education at home is not enough. To ensure the quality of schools as institutions serving the community, parents must be involved at all levels in the schools.
6. Children from low-income and culturally and racially diverse families have the most to gain when schools involve parents. The extent of parent involvement in a child's education is more important to student success than family income or education.
7. We cannot look at the school and the home in isolation from one another; families and schools need to collaborate to help children adjust to the world of school. This is particularly critical for children from families with different cultural and language backgrounds.

Schools that undertake and support strong comprehensive parent involvement efforts are more likely to produce students who perform better than identical schools that do not involve parents. Schools that have strong linkages with and respond to the needs of the communities they serve have students who perform better than schools that don't. Children who have parents who help

* "Parent involvement" refers to the efforts of any caregiver who assumes responsibility for nurturing and caring for children, including parents, grandparents, aunts, uncles, foster parents, stepparents, etc. Many schools are now using the alternative term "family involvement."

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them at home and stay in touch with the school do better academically than children of similar aptitude and family background whose parents are not involved. The inescapable fact is that consistent high levels of student success are more likely to occur with long-term comprehensive parent involvement in schools.¹

The California State Board of Education recognizes that a child's education is a responsibility shared by school and family during the entire period the child spends in school. Although parents come to the schools with diverse cultural backgrounds, primary languages, and needs, they overwhelmingly want their children to be successful in school. School districts and schools, in collaboration with parents, teachers, students, and administrators, must establish and develop efforts that enhance parent involvement and reflect the needs of students and families in the communities which they serve.

To support the mission of California schools to educate all students effectively, schools and parents must work together as knowledgeable partners. All of the grade level reforms, Here They Come: Ready or Not!, It's Elementary, Caught in the Middle, Second To None, and other major initiatives such as Healthy Start (SB 620) and School Restructuring (SB 1274), emphasize parent and community involvement in school restructuring. The reform efforts support school based shared decisionmaking at the school site that includes all stakeholders, including teachers, administrators, students, parents, and other community members.

The State Board of Education will continue to support, through the California Department of Education, assistance to school districts and schools in developing strong comprehensive parent involvement. Comprehensive means that parents are involved at all grade levels in a variety of roles. The efforts should be designed to:

1. Help parents develop parenting skills to meet the basic obligations of family life and foster conditions at home which emphasize the importance of education and learning.
2. Promote two way (school-to-home and home-to-school) communication about school programs and students' progress.
3. Involve parents, with appropriate training, in instructional and support roles at the school and in other locations that help the school and students reach stated goals, objectives, and standards.
4. Provide parents with strategies and techniques for assisting their children with learning activities at home that support and extend the school's instructional program.
5. Prepare parents to actively participate in school decisionmaking and develop their leadership skills in governance and advocacy.
6. Provide parents with skills to access community and support services that strengthen school programs, family practices, and student learning and development.

¹ Henderson, Anne T. and Nancy Berla, A New Generation of Evidence: The Family is Critical to Student Achievement. National Committee for Citizens in Education, 1994.



SUBJECT

Parent Involvement in the Education of Their Children

POLICY # 89-01

DATE September 1994

These six types of parent involvement roles require a coordinated schoolwide effort that has the support of parents, teachers, students, and administrators at each school site. Furthermore, research indicates that home-school collaboration is most likely to happen if schools take the initiative to encourage, guide, and genuinely welcome parents into the partnership. Professional development for teachers and administrators on how to build such a partnership is essential.

The issue of parent involvement in the education of their children is much larger than improving student achievement. It is central to our democracy that parents and citizens participate in the governing of public institutions. Parent involvement is fundamental to a healthy system of public education.

ATTACHMENT 8: CALIFORNIA DEPARTMENT OF EDUCATION – CHARTER SCHOOL DIVISION – LEGAL OPINION ON PARENT PARTICIPATION

State of California

Department of Education

M e m o r a n d u m

To : Marta Reyes
Charter Schools Division

Date : February 9, 2006

From : Michael Hersher
Deputy General Counsel

Subject : Parent participation as charter school admission requirement

You have requested a legal opinion whether a charter school may require a parent to sign an agreement to perform certain hours of work for the benefit of the charter school, as a condition of admitting a student to the school. In my opinion, such a requirement is within the discretion of a charter school and does not prevent an authorizing entity from approving the charter.

With regard to who may enroll in a charter school, the Charter School Act has several provisions that refer to “admission requirements” and others that refer to “admission preferences.” The distinction appears to be that a “requirement” applies to an individual student’s eligibility to apply at all, while a “preference” allows certain categories of students to compete with each other when there are more applicants than spaces in the school. After applying the allowable preferences, if there are still more applicants than spaces, charter schools are authorized to conduct lotteries to select students for enrollment.

Education Code section 47605(b)(5)(H) states a charter petition must include a reasonably comprehensive description of the “admission requirements, if any.” This provision implies that a charter school may set reasonable limitations on which students may apply for admission. Section 47605(d)(2)(A), however, says “a charter school shall admit all pupils who wish to attend the school.” That provision seems to conflict with the previously quoted section in suggesting that all pupils are eligible to be admitted without limitation. It also conflicts with, or is limited by, the various preferences that charter schools may allow that limit the duty to “admit all pupils who wish to attend.” In order to harmonize these provisions of the overall statutory scheme, it seems reasonable to interpret Section 47605(d)(2)(A) as requiring that charter schools admit all students, regardless of residence, who meet the lawful criteria for admission and/or preference stated in the petition.

In terms of the criteria that are not lawful, Section 47605(d)(1) states a charter school’s admission policies must be nonsectarian, may not require tuition, may not discriminate on the basis of ethnicity, national origin, gender, or disability, and may not be based on the residence of the parents or guardians. However, specific preferences are allowed for pupils currently attending a converted charter school, pupils who reside within the attendance area of the former attendance area of that converted school, and pupils who reside in the school district of the converted school. In addition, a

charter school that is not a conversion school may also give preference to pupils from the school attendance area in which the charter school is located, if the public school in that area has more than 50 percent pupils eligible for free and reduced price lunches based on family income. (Educ. Code sec. 47605.3.)

In conclusion, the Charter School Act does not expressly address the issue of parent participation requirements for admission to a charter school. Parent participation is not one of the expressly prohibited criteria for admission or preference and is a factor that is relevant, if not integral, to the educational goals and philosophy of a charter school. Given the flexibility that was intended by the Charter School Act and the number of statutory limitations on admission that are already permitted, it is my opinion that a charter petition may lawfully include reasonable admission criteria, including a requirement that parents agree to do work for the charter school.

ATTACHMENT 9: CITED CURRICULUM REFERENCES

Bingham, Anne A. *Exploring the MultiAge Classroom*. Stenhouse Publishers, Sept. 1, 1995.

Jensen, Eric. *Teaching with the Brain in Mind*. Alexandria, VA: Association for Supervision and Curriculum Development, April 1, 1998.

McBrien, J.L. and Brandt, R.S. *The Language of Learning: A Guide to Education Terms*. Alexandria, VA: Association for Supervision and Curriculum Development, 1977.

Ostrow, Jill. *A Room with a Different View*. Stenhouse Publishers, Sept. 1, 1999.

Tomlinson, C. *The Differentiated Classroom: Responding to the Needs of All Learners*. Alexandria, VA: Association for Supervision and Curriculum Development, April 1, 1999.

ATTACHMENT 10: SAMPLE CURRICULUM

At Discovery Charter School the curriculum, instruction, and assessment are based on the California State Frameworks and Academic Content Standards of California Public Schools.

Beliefs about Reading

At Discovery Charter School we believe:

- ★ teachers read rich literature aloud to students
- ★ students read independently every day
- ★ students have a choice of independent reading materials
- ★ students are exposed to a wide and rich range of literature
- ★ students study authors' writing style and craft
- ★ teachers model and discuss his/her own reading processes
- ★ instruction emphasizes comprehension, with an emphasis on phonics and phonemic awareness as students are learning to read
- ★ reading is taught as a process:
 - students use strategies that activate prior knowledge
 - students make and test predictions
 - students receive help during reading
 - teachers provide after-reading applications
- ★ time is made for social, collaborative activities with much discussion and interaction
- ★ grouping is flexible and done by reading level, interest, and/or book. choices
- ★ instruction takes place in the context of whole and meaningful literature
- ★ reading is done extensively in the content areas
- ★ evaluation is focused on holistic, higher-order thinking processes
- ★ success of the reading program is measured by students' reading habits, attitudes and comprehension

Beliefs about Writing

At Discovery Charter School, we believe:

- ★ class time is spent writing original pieces:
 - for real purposes and audiences
 - with instruction and support for all stages of writing: prewriting (organizing thoughts through graphic organizers), drafting, revising, editing, conferencing and publishing
- ★ student ownership and responsibility for writing are taught by:
 - helping students choose their own topics and goals for improvement
 - using brief conferences with teacher, parent, or peer
 - teaching students to examine their own craft and conventions
- ★ teachers model and share writing as a fellow author through drafting, revising, and sharing
- ★ students learn grammar and mechanics in the context of mentor texts and original writing
- ★ young writers are encouraged to use inventive spelling throughout the writing process
- ★ older students are encouraged to use inventive spelling in the early stages of the writing process (prewriting, drafting and revision)
- ★ teachers create a supportive classroom setting by:
 - valuing students' ideas
 - using collaborative small-group work
 - using conferences and peer critiquing
- ★ students write across the curriculum, when appropriate
- ★ students write in different genres:
 - narrative
 - personal/memoir
 - descriptive
 - expository
 - informational (all about . . . , report, biography, etc.)
 - functional (letters, emails, lists, how to's, etc.)
 - persuasive
 - response to literature
 - poetry
- ★ evaluation is constructive and involves:
 - brief, informal, oral responses as students work
 - encouragement of risk taking and honest expression
 - focus on a few errors at a time
 - assessment of on-demand writing
 - thorough grading of just a few polished papers
 - cumulative review of growth and self-evaluation

Beliefs about Mathematics

At Discovery Charter School we believe

- math curriculum follows a clear scope and sequence within each grade level
- mathematics is comprised of conceptual, skill based, and abstract elements; there is a developmental progression that moves from concrete (hands-on) to abstract thinking and problem solving
- instruction is differentiated according to ability and learning style; the individual needs of students are met with tiered instruction and extra support
- assessment should be formative, on-going and embedded into learning and instruction
- math learning and instruction should be guided by purposeful content and goals that:
 - ◆ make meaningful connections to real life
 - ◆ are integrated with other content areas
 - ◆ are relevant and applied
 - ◆ develop critical thinking.
- students need to be able to articulate how they approach solving problems; they may use words (written or oral), pictures and/or numbers to demonstrate understanding
- it is crucial to give students time to develop and understand how numbers work together, but once that understanding develops, students must strive for fluency with math facts in order to become proficient in higher order mathematical computation
- students discover mathematical rules
- students need many opportunities for individual practice
- students should use manipulatives at all levels to solve problems
- students need to develop their math vocabulary
- students demonstrate their knowledge through daily practice, projects, activities and a variety of assessments
- parents working with groups of students are an integral part of math learning and instruction
- meaningful resource materials for parents are important for a positive home and school connection

Reading

Grade Level	Materials
K	Zoo Phonics A – Z reading Rigby, National Geographic, Newbridge level readers (fiction and nonfiction) Teacher and parent led differentiated literacy centers Author studies
1 Grouped in the afternoon by reading level	<i>Phonics and Word Study Lessons</i> by Fountas and Pinnell A – Z reading Rigby, National Geographic, Newbridge level readers (fiction and nonfiction) Guided reading Teacher and parent led differentiated literacy centers Author studies
2/3	Rigby, National Geographic, Newbridge level readers (fiction and nonfiction) Guided reading Teacher and parent led differentiated literacy centers Author studies
4	Rigby, National Geographic, Newbridge level readers (fiction and nonfiction) Guided reading, based on individual need Teacher and parent led differentiated literacy centers Literature circle groups Author studies
5	Rigby, National Geographic, Newbridge level readers (fiction and nonfiction) Guided reading, based on individual need Teacher and parent led differentiated literacy centers Literature circle groups Author studies
6	Prentice Hall Literature Series Literature circle groups Author studies Guided reading, based on individual need

Grade Level	Materials for Reading (continued)
7	Prentice Hall Literature Series Literature circle groups Author studies Guided reading, based on individual need
8	Prentice Hall Literature Series Literature circle groups Author studies Guided reading, based on individual need
Assessment	Grades K – 1 ➤ Reading Assessment (fall and end of the year) Grades K – 5 ➤ DRA (Developmental Writing Assessment, Fall, winter, end of year) ➤ running records ➤ classroom formative and summative assessments Grades 2 – 8 ➤ SRI (Scholastic Reading Inventory – gives a lexile score) ➤ classroom formative and summative assessments

Writing

Grade Level	Materials
K/1	Step Up to Writing Six Trait Writing <i>Units of Study for Primary Writing</i> by Lucy Calkins Writing Workshop model
2/3	Step Up to Writing Six Trait Writing <i>Units of Study for Primary Writing</i> and <i>Units of Study for Teaching Writing</i> (grades 3 – 5) by Lucy Calkins Writing Workshop model
4	Step Up to Writing Six Trait Writing
5	Step Up to Writing Six Trait Writing
6	Step Up to Writing Six Trait Writing
7	Step Up to Writing Six Trait Writing
8	Step Up to Writing Six Trait Writing
Assessment	<p>K – 8</p> <ul style="list-style-type: none"> ➤ Narrative prompt in September ➤ 3 – 4 writing pieces taken through the process • K: 3 narrative or 2 narrative and 1 expository • Grade 1: 2 narrative and 1 expository • Grade 2: 2 narratives, and 1 expository • Grade 3: 1 narrative, 1 description and 1 expository • Grade 4: 1 narrative, 1 expository, 1 descriptive, and 1 summary • Grade 5: 1 narrative, 1 expository, 1 persuasive and 1 response to literature
Assessment	<ul style="list-style-type: none"> • Grade 6: 1 narrative, 1 expository, 1 persuasive and 1 response to literature • Grade 7: 1 narrative, 1 expository, 1 persuasive and 1 response to literature • Grade 8: 1 narrative, 1 persuasive and 1 response to literature

Mathematics

Grade Level	Materials
K/1	<p><i>Developing Number Concepts</i> by Kathy Richardson Scott Foresman Teacher Resource Kit TERC <i>Investigations</i> for Grade 1 <i>Box It, Bag It</i> by The Math Learning Center <i>Math Excursions</i> by Allyn Snider, Donna Burk, Paula Symonds <i>Math Their Way</i> by Mary Baratta-Lorton Marcy Cook Mathematics</p>
2/3 Regroup according to math level	<p>Scott Foresman Teacher Editions and resources TERC <i>Investigations</i> Math activities and resources by Marilyn Burns <i>Teaching Student-Centered Mathematics</i> by John Van De Walle</p>
4 Regroup according to math level	<p>Scott Foresman Teacher Editions and resources TERC <i>Investigations</i> Teacher created hands-on activities</p>
5	<p>Scott Foresman Teacher Editions and resources TERC <i>Investigations</i> Teacher created hands-on activities CPM (College Preparatory Mathematics) ➤ Foundations for Algebra, Book 1 (Advanced)</p>
6	<p>CPM (College Preparatory Mathematics) ➤ Foundations for Algebra, Book 1</p>
7	<p>CPM (College Preparatory Mathematics) ➤ Foundations for Algebra, Book 2 ➤ Algebra Connections (Advanced) ➤ Geometry Connections (Advanced)</p>
8	<p>CPM (College Preparatory Mathematics) ➤ Algebra Connections ➤ Geometry Connection ➤ Foundations for Algebra (remedial)</p>
Assessment	<p>K – 1 ➤ Mathematics Assessment (fall and end of year) 2 – 8 ➤ School Benchmark assessments (fall and spring) ➤ Teacher created formative and summative assessment ➤ Publisher created assessments</p>

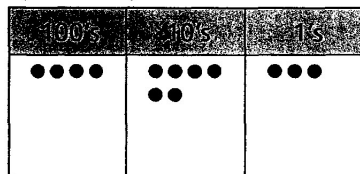
Second Grade Sample Math Assessment

Directions: For each of the following questions, decide which of the choices is best and fill in the corresponding space on the answer document.

1. What is the place value of the 3 in 723?
- A. threes place
 - B. ones place
 - C. tens place
 - D. hundreds place

ItemID: DD.1006604

2. Look at the hundreds, tens and ones chart. Which number is represented by the dots on the chart?



- A. 403
- B. 436
- C. 443
- D. 463

ItemID: DD.1006606

3. What is the place value of the 4 in 648 ?
- A. ones place
 - B. fours place
 - C. tens place
 - D. hundreds place

ItemID: DD.1007463

4. [What is another name for six hundred plus thirty plus nine?]

- A. 369
- B. 396
- C. 639
- D. 693

ItemID: DD.1007466

5. [Ruth did this subtraction problem. Which addition problem shows that she got the

$$\begin{array}{r} 75 \\ - 24 \\ \hline 51 \end{array}$$

correct answer?]

- A. $\begin{array}{r} 51 \\ + 75 \\ \hline \end{array}$
- B. $\begin{array}{r} 24 \\ + 75 \\ \hline \end{array}$
- C. $\begin{array}{r} 24 \\ + 24 \\ \hline \end{array}$
- D. $\begin{array}{r} 51 \\ + 24 \\ \hline \end{array}$

ItemID: DD.1007474

6. [What is the solution to this problem?]

$$\begin{array}{r} 625 \\ - 271 \\ \hline \end{array}$$

- A. 354
- B. 454
- C. 496
- D. 896

ItemID: DD.1007477

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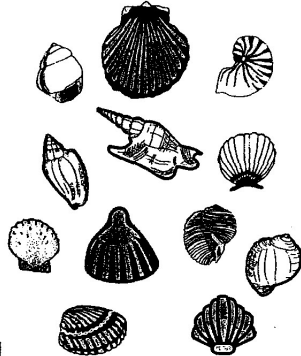
Second Grade Math (cont.)

7. [Which of the following addition problems is the same as four times two?]

- A. $4 + 2$
- B. $2 + 2$
- C. $2 + 2 + 2$
- D. $2 + 2 + 2 + 2$

ItemID: DD.1007480

8. [Brian collected these seashells at the beach. How many groups of 4 can he



make?]

- A. 5
- B. 4
- C. 3
- D. 2

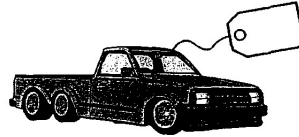
ItemID: DD.1007482

9. [Sarah divides her dolls into groups. Each group has one-fourth of all of her dolls. How many groups are there?]

- A. 2
- B. 4
- C. 5
- D. 8

ItemID: DD.1007498

10. [The toy truck costs eight dollars and ninety-five cents. What amount goes on the price tag?]



- A. \$0.95
- B. \$8.95
- C. \$9.58
- D. \$9.85

ItemID: DD.1007505

11. [Which of the following is about six inches long?]

- A. a crayon
- B. a pencil
- C. a baseball bat
- D. a streetlight pole

ItemID: DD.1007507

Go on to the next page >>

Fourth Grade Math Sample Assessment

Directions: For each of the following questions, decide which of the choices is best and fill in the corresponding space on the answer document.

1. Which number is three million, eight hundred ten thousand, forty-five?

- A. 3,081,045
- B. 3,081,450
- C. 3,810,045
- D. 3,810,450

ItemID: DD.1008225

2. What place value is named by the 4 in 7,043,970?

- A. hundreds
- B. ten thousands
- C. tens
- D. thousands

ItemID: DD.1008230

3. What is 2,528,746 rounded to the nearest thousand?

- A. 2,530,000
- B. 2,529,000
- C. 2,528,000
- D. 2,520,000

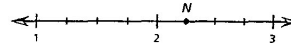
ItemID: DD.1008241

4. Yasir spent \$289 at the grocery store. If he had \$500 to spend, how much money does he have left?

- A. \$211
- B. \$221
- C. \$311
- D. \$389

ItemID: DD.1008276

5. What fraction is best represented by point *N* on the number line below?



- A. $1\frac{1}{2}$
- B. $2\frac{1}{4}$
- C. $2\frac{1}{2}$
- D. $2\frac{3}{4}$

ItemID: DD.1008262

6. Hiroshi cut a piece of rope into pieces 60 cm long. If he cut the rope into 870 pieces, how many total centimeters of rope does he have?

- A. 4,820 cm
- B. 5,220 cm
- C. 48,220 cm
- D. 52,200 cm

ItemID: DD.1008291

Go on to the next page >>

Fourth Grade Math (cont.)

7. Which of the following numbers is a prime number? 11, 15, 25, 27

A. 11
B. 15
C. 25
D. 27

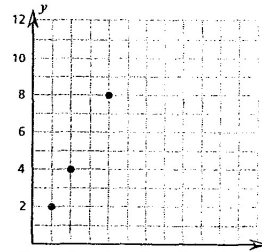
ItemID: DD.1008307

8. Naila has a total of 623 stamps and seven display cases. If she wants the same number of stamps in each display case, how many stamps will she put in each display case?

A. 80 stamps
B. 82 stamps
C. 87 stamps
D. 89 stamps

ItemID: DD.1008300

9. Jackie plotted three points on the same



- line. Which of the following would connect the points in a straight line?

A. (4, 2)
B. (5, 6)
C. (3, 6)
D. (7, 7)

ItemID: DD.1008348

10. Stan had three rocks in his collection that weighed 2.74 ounces, 6.18 ounces, and 4.87 ounces. About how much do the three rocks weigh altogether?

A. 13.6 ounces
B. 13.7 ounces
C. 13.8 ounces
D. 13.9 ounces

ItemID: DD.1008399

Go on to the next page >>

History/Social Studies

Grade Level	Materials
K	History Alive Other teacher/grade level created materials <ul style="list-style-type: none"> • Cooperative group activities • Hands-on, concept based projects and activities • Parent led, small group activities • Field trips
1	History Alive Other teacher/grade level created materials <ul style="list-style-type: none"> • Cooperative group activities • Hands-on, concept-based projects and activities • Parent led, small group activities • Field trips
2	History Alive Other teacher/grade level created materials <ul style="list-style-type: none"> • Cooperative group activities • Hands-on, concept-based projects and activities • Parent led, small group activities • Field trips
3	History Alive Other teacher/grade level created materials <ul style="list-style-type: none"> • Cooperative group activities • Hands-on, concept-based projects and activities • Parent led, small group activities • Field trips
4	California Gold Rush Missions and Ranchos Other Teacher/grade level created materials <ul style="list-style-type: none"> • Cooperative group activities • Hands-on, concept-based projects and activities • Parent led, small group activities • Simulations • Field trips
5	History Alive Other teacher/grade level created materials <ul style="list-style-type: none"> • Cooperative group activities • Hands-on, concept-based projects and activities • Parent led, small group activities • Simulations • Field trips

Grade Level	Materials for History/Social Studies (continued)
6	History Alive Other teacher/grade level created materials <ul style="list-style-type: none"> • Cooperative group activities • Hands-on, concept-based projects and activities • Parent led, small group activities • Field trips • Simulations
7	History Alive Other teacher/grade level created materials <ul style="list-style-type: none"> • Cooperative group activities • Hands-on, concept-based projects and activities • Parent led, small group activities • Field trips • Simulations
8	History Alive Other teacher/grade level created materials <ul style="list-style-type: none"> • Cooperative group activities • Hands-on, concept-based projects and activities • Parent led, small group activities • Field trips • Simulations

Science

Grade Level	Materials
K/1	California Edition of FOSS (Full Option Science System) Other teacher/grade level created materials <ul style="list-style-type: none"> • Cooperative group activities • Hands-on, concept based projects and activities • Parent led, small group activities • Field trips
2/3	California Edition of FOSS (Full Option Science System) Reading A – Z TeacherVision.com Other teacher/grade level created materials <ul style="list-style-type: none"> • Cooperative group activities • Hands-on, concept-based projects and activities • Parent led, small group activities • Field trips

Grade Level	Materials for Science (continued)
4	California Edition of FOSS (Full Option Science System) Other Teacher/grade level created materials <ul style="list-style-type: none"> • Cooperative group activities • Hands-on, concept-based projects and activities • Parent led, small group activities • Field trips
5	California Edition of FOSS (Full Option Science System) GEMS (Great Explorations in Math and Science) Other teacher/grade level created materials <ul style="list-style-type: none"> • Cooperative group activities • Hands-on, concept-based projects and activities • Parent led, small group activities • Field trips
6	GEMS (Great Explorations in Math and Science) <ul style="list-style-type: none"> • Environmental Detectives • Plate Tectonics (Earth Science) • Ocean Currents Holt Science Text Other teacher/grade level created materials <ul style="list-style-type: none"> • Cooperative group activities • Hands-on, concept-based projects and activities • Parent led, small group activities • Field trips • Simulations
7	<i>Life Science</i> by Holt Other teacher/grade level created materials <ul style="list-style-type: none"> • Cooperative group activities • Hands-on, concept-based projects and activities • Parent led, small group activities • Field trips • Simulations
8	<i>Physical Science</i> by Holt Other teacher/grade level created materials <ul style="list-style-type: none"> • Cooperative group activities • Hands-on, concept-based projects and activities • Parent led, small group activities • Field trips • Simulations

ATTACHMENT 11: PLAN FOR STUDENTS WHO ARE ACADEMICALLY HIGH ACHIEVING

Gifted Categories

The Discovery Gifted Program addresses categories that include:

1. **General intellectual ability:** Students possessing superior intellectual ability who need and can profit from specially planned educational services beyond those normally provided by the standard school program.
2. **Specific academic aptitude:** Students who have superior ability in a specific academic area to the extent that they need and can profit from specially planned educational services beyond those normally provided by the standard school program.
3. **Leadership ability:** Students possessing leadership ability who not only assume leadership roles, but also are accepted by others as a leader, to the extent that they need and can profit from specially planned educational services beyond those normally provided by the standard school program.

Identification process

The identification process for the Discovery Gifted Program relies on multiple criteria, including cognitive abilities, academic achievement, learning characteristics, and behaviors. Additionally, it looks for inputs from multiple sources, which may include the present and past classroom teachers, special subject teachers, counselors, parents, peers, or the students themselves.

The following describes the identification process for the Discovery Gifted Program:

1. **Automatic Pathways**
 - a. To ensure equitable access to the Discovery Gifted Program, formal assessment will be given to all students who are recommended by their teacher or parents in the 1st grade.
 - b. Students in 3rd grade who have CST scores greater than 450 in math or language arts and are not yet in the Discovery Gifted Program will be given the formal assessment.
 - c. The formal assessment will also be given to students who join Discovery in subsequent grade levels provided they have CST scores greater than 450 in math, language arts, or science.

Individualized GATE Plan (IGP)

A GATE Study Team meeting will be held with appropriate staff and parent(s) or guardian(s) in attendance, and the identified GATE student. The team will assess the student's needs, recommend gifted service options, and develop the IGP.

The IGP is a written plan that contains specific and detailed program modifications that will be needed to continue the gifted student's *academic progress and talent development, while meeting their social and emotional needs*. The goals of the IGP are to achieve the following:

1. To promote academic progress
2. To remediate academic weaknesses
3. To enhance psychological adjustment
4. To provide socialization opportunities

To achieve the above goals, the following information will be included in the IGP:

1. Identification of strong subject areas, and subject areas chosen to provide advanced study.
2. Identification of the student's learning strengths, learning preferences, personality characteristics, and in-school and outside interests.
3. Activities detailing instructional management and delivery, curriculum differentiation (see "Guidelines on Differentiation"), and acceleration (see "Guidelines on Acceleration"), including the persons responsible for implementing and monitoring the progress.
4. Actions needed to remediate any weaknesses or issues that the student may have, including academic, social, emotional, or motivational.
5. Provisions for psychological and social adjustment for meeting social and emotional needs of the gifted students. This may include enrichment, pull-out programs during school time, and/or after-school enrichment activities that allow group interaction with other gifted students.

The student's progress will be reviewed annually to determine if the service is still an appropriate match, or if other modifications need to be provided.

DISCOVERY GIFTED PROGRAM SERVICES

The following Gifted Program Services will be available in conjunction with other differentiation strategies such as flexible grouping, tiered lessons/activities and a high level of questioning strategies that are currently practiced at Discovery.

1. Acceleration

Acceleration is a curricular option that allows a student to progress through school at a faster than usual rate/or younger than typical age. It allows curriculum matching to the student's ability.

Several forms of acceleration may be considered for an individual student, including:

Content-based Acceleration

- *Subject acceleration*, where a student is promoted to a higher level or grade for one or more subjects in which they excel.
- *Curriculum compacting*, a differentiation strategy that allows students who have already mastered parts of the curriculum to move on, work on alternate activities, and learn new things.
- *Dual enrollment*, where a student is allowed to enroll in higher level coursework when proficiency at grade level has been mastered. Dual enrollment may be available through a local public high school or approved online courses.

Grade-based Acceleration

- *Whole-grade acceleration/grade skipping*, where a student is promoted to a higher level for all subjects.
- *Grade Telescoping*, where a student is accelerated through more than one year's curriculum within one year in all academic areas.
- *Radical acceleration*, where highly or profoundly gifted students skip several grades, or experience several forms of acceleration during their school years.

2. Clustering in Heterogeneous Classrooms

Cluster grouping of gifted students places a group of five or more gifted learners at a grade level with a Discovery classroom teacher who has been trained to work with the gifted, while the remainder of the teacher's load includes a normal distribution of abilities. This model of grouping is one of the most effective ways to meet both the academic and social-emotional needs of the gifted on a daily basis. Clustering allows the teacher to spend a proportionate amount of instructional effort and curriculum

development time on the gifted cluster, which may not be possible when the classroom contains only one or two gifted students, and allows gifted students to learn from and be enriched by each other.

3. Content and Curriculum Modification

Identified GATE students will be provided appropriate curriculum in subjects of strength throughout the school day. Such curriculum includes advanced curriculum and multidisciplinary learning.

4. Enrichment Pull-out Program

An appropriate enrichment pull-out program will be developed by the Curriculum Specialist in collaboration with classroom teachers as a supplementary program and extension of the differentiated curriculum in the regular classroom. In Middle School, the enrichment pull-out group will be available as special Selective classes.

5. Other Programs: Independent Study/Project, Mentoring, National Creativity Programs, and Talent Exhibition/Competition

The student may initiate an independent study or project in subject(s) of strength. The classroom teacher, with the help of the Curriculum Specialist, may set up mentorship if needed.

6. Advisory

The Curriculum Specialist and Discovery Gifted Parent Support group will provide information and advise students on talent searches, scholarship, and academic competition, as well as advanced courses that are available through academic summer programs for the gifted.

Training and Staff Development

The first step to meeting the needs of gifted students is to build awareness and understanding among teachers, staff, and parents. The Discovery Gifted Program will seek opportunities for staff development, which may include workshops, seminars, webinars, and gifted conferences.

Discovery teachers will be encouraged to obtain certification in teaching the gifted.

Social-Emotional Curriculum

As a Positive Discipline school, Discovery Charter School since its inception has always been dedicated to educating and nurturing the whole child. However, due to the unique characteristics of the gifted students and the potential social and emotional issues that may arise from their giftedness, the Discovery Gifted Program will integrate the social-emotional learning that applies specifically to the gifted students into the daily curriculum. Additionally, there may be a separate Social Emotional Learning (SEL) instruction for the gifted students.

The goals of Social-Emotional Curriculum are as follows:

1. To help the gifted students learn and accept their over excitabilities and to help them develop strategies in modulating the expressions of their over excitabilities.
2. To promote positive achievement attitude and to promote growth mindset.
3. To build resiliency in gifted students.

The school forms the core of students' daily social and academic experiences. These every day experiences, in turn, play a critical role in the students' social and emotional adjustment. At Discovery under the direction of the teachers, parents interact with all the students, including the gifted, on a daily basis as aides in the classroom. In order to ensure a positive environment, the Discovery Gifted Program with the help of the

Gifted Parent Support group, will provide workshops to help parents understand the social and emotional aspects of the gifted children.

ATTACHMENT 12: PLAN FOR ENGLISH LEARNERS TABLE OF CONTENTS

Discovery Charter School
English Learner Plan

Our English Learner Plan was created in March 2008, approved by the ELAC Committee in September 2008 and reviewed by the Santa Clara County Office of Education in May and November 2008.

Table of Contents

Introduction

Initial Identification

- Enrollment
- Initial Assessment
- English Learner Services and Placement
- Parent Notification
- Parental Exception Waivers

Instructional Program

- Instructional Programs Overview
- English Learner Services
- English Language Development
- Transferability of Skills
- Time for ELD
- Progression through ELD Levels
- Consideration for all EL Programs
- SDAIE
- Catch-Up Annual Benchmarks for English Learners
- Catch-Up Plan
- Special Needs

Monitoring and Reclassification

- District Assessments
- English Proficiency Reassessments
- Use of Assessment Data for Instructional Planning
- Annual Review of Student Progress
- Reclassification
- Monitoring and Follow-up on Reclassified Students
- Initial Fluent English Proficient Students
- Retention and Promotion of English Learners

Staffing and Professional Growth

- Staffing
- Training

Committees and Parental Involvement

English Learner Advisory Committee (ELAC) Requirements
Implementation of the Site ELAC
ELAC Roles and Responsibilities
Parent Education

Funding

General Fund
Additional EL Support Programs

Evaluation and Accountability

Program Implementation
Program Effectiveness

ATTACHMENT 13: BOARD POLICY ON 504 COMPLIANCE

Discovery Charter School
San Jose, California

Students

Board Policy

IDENTIFICATION, EVALUATION AND EDUCATION UNDER SECTION 504

The Governing Board of the Discovery Charter Schools (“Discovery”) recognizes the need to identify and evaluate students with disabilities in order to provide them with a free, appropriate public education and its legal responsibility to ensure that “no qualified person with a disability shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” This policy and the related administrative regulation has been developed to ensure the implementation of Section 504 of the Rehabilitation Act of 1973 (“Section 504”), and its implementing regulations as amended, which pertains to public schools. The intent is to ensure that all students with disabilities, who are eligible under section 504, are identified and evaluated and have access to a free, appropriate public education (“FAPE”).

Under Section 504, individuals with physical or mental impairments that substantially limit one or more major life activities, including learning, are entitled to receive regular or special education and /or related aids and services designed to meet their individual needs as adequately as the needs of nondisabled students are met. Students may be disabled and entitled to services under section 504 even though they are not eligible for services pursuant to the Individuals with Disabilities in Education Act Improvement Act of 2004 (“IDEIA”). The identification, evaluation and education of students eligible for services under the IDEA are addressed under the policies and procedures of the Santa Clara County Office of Education.

The Superintendent/Executive Director shall ensure that this policy and set of procedures is implanted and followed. Whenever there is reason to believe that, because of a disability, a student needs regular or special education and/or related aids and services (and the student has not been found eligible under IDEA) that student will be evaluated under this policy’s administrative regulation.

A Section 504 Team will be convened to determine the student’s need for regular or special education and/or related aids and services. The 504Team will include persons knowledgeable about the Section 504 standards, the student’s individual needs and school history, the meaning of evaluation data, and placement options. The student’s parent/guardian shall be invited to participate in this 504 Team and shall receive notice of procedural safeguards guaranteed by law. If Discovery does not assess a student after a parent has requested an assessment, Discovery shall provide notice of the parent’s/guardian’s procedural safeguards.

If the student, due to disability, is found to require regular or special education and/or related aids and services under Section 504, the Section 504 Team shall develop a 504 plan for the provision of such services to the student. The student shall be educated with nondisabled students to the maximum extent appropriate to the student’s individual needs. The student’s parent/guardian shall be provided a copy of the 504 plan and shall receive notice of procedural safeguards guaranteed by law. Discovery shall periodically review the student’s progress and placement.

Discovery will implement this policy through its corresponding Procedure.

A. Definitions

1. **Academic Setting** – the regular, educational environment operated by the Discovery Charter School (“Discovery”).
2. **Individual with a Disability under Section 504** – An individual who:
 - a. has a physical or mental impairment that substantially limits one or more major life activities;
 - b. has a record of such an impairment; or
 - c. is regarded as having such an impairment.
3. **Evaluation** – procedures used to determine whether a student has a disability as defined within, and the nature and extent of the services that the student needs. The term means procedures used selectively with an individual student and does not include basic tests administered to, or procedures used with, all students in a school, grade or class.
4. **504 Plan** – is a plan developed to identify and document the student’s needs for regular or special education and related aids and services for participation in educational programs, activities, and school –sponsored events.
5. **Free Appropriate Public Education (“FAPE”)** – the provision of regular or special education and related aids and services that are designed to meet the individual needs of persons with disabilities as adequately as the needs of persons without disabilities are met.
6. **Major Life Activities** - Functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.
7. **Physical or Mental Impairment** –
 - a. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory; including speech organs; cardiovascular; reproductive; digestive; genitor-urinary; hemic and lymphatic; skin; and endocrine; or
 - b. Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.
8. **504 Coordinator** – Each Director shall serve as his/her site’s Section 504 coordinator. The parents or guardians may request a Section 504 due process hearing from, or direct any questions or concerns to the 504 Coordinator at 408-243-9800.

B. Referral, Assessment and Evaluation Procedures

1. Discovery will evaluate any student who, because of disability, needs or is believed to need regular or special education and/or related aids and services.
2. A student may be referred by anyone, including a parent/guardian, teacher, other school employee or community agency, for consideration as to whether the student qualifies as a student with disabilities under Section 504. Requests for evaluation shall be made in writing, and a copy of said request will remain in the student’s file regardless of the final determination.

This referral should be made to the Section 504 Coordinator who will convene a 504 Team. Any requests made to another Discovery employee will be forwarded to the Section 504 Coordinator.

3. Discovery has the responsibility to ensure that students with disabilities are evaluated. Therefore, it is important that students who are or may be disabled are referred to the Section 504 Coordinator so that the assessment process is initiated.
4. The 504 Team convened by the Section 504 Coordinator will be composed of the student's parents/guardians and other persons knowledgeable about the student (such as the student's regular education teachers), the student's school history, the student's individual needs (such as a person knowledgeable about the student's disabling condition), the meaning of evaluation data, the options for placement and services, and the legal requirements for least restrictive environment and comparable facilities.
5. The 504 Team shall promptly consider the referral and determine what assessments are needed in all suspected areas of disability to evaluate whether the student is a student with a disability under Section 504 and what special needs the student may have. The decision regarding what assessments shall be undertaken shall be based on a review of the student's school records (including academic, social and behavioral records), any relevant medical records, and the student's needs. Students requiring assessment shall be provided appropriate assessments administered by qualified assessment specialists.
6. The 504 Team will consider the following information in its evaluation of the student:
 - a. Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel;
 - b. 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; and
 - c. Tests are selected and administered so as to best 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 (except where those skills are the factors that the test purports to measure.)
7. The evaluation of the student must be sufficient for the 504 Team to accurately and completely describe: (a) the nature and extent of the disabilities; (b) the student's special needs; (c) the impact upon the student's education; and (d) what regular or special education and/or related aids and services are appropriate to ensure that the student receives a free appropriate public education. All significant factors relating to the learning process for that student, including adaptive behavior and cultural and language background, must be considered. The evaluation may include, but is not limited to, classroom and playground observation, performance-based testing, academic assessment information, and data offered by the student's teachers and parent/guardian.

8. The parents/guardians shall be given an opportunity in advance of 504 Team meetings to examine assessment results and all other relevant records.
9. If a request for evaluation is denied, the 504 Team shall inform the parents/guardians in writing of this decision and of their procedural rights as described below.

C. 504 Plan

1. When a student is identified as disabled within the meaning of Section 504, the 504 Team shall determine what, if any, services are needed to ensure that the student receives a free, appropriate public education (“FAPE”).
2. The 504 Team responsible for making the placement decision shall include the parents/guardians and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options.
3. For each identified disabled student, the 504 Team will develop a 504 Plan describing the student’s disability and the regular or special education and/or related aids and services needed. The Plan will specify how the special education and/or related aids and services will be provided to the disabled student and by whom. The 504 Plan will also identify the person responsible for ensuring that all the components of the Plan are implemented.
4. The student’s teacher and any other staff who are to provide services to the student or who are to make modifications in the classroom for the student shall be informed of the services or modifications necessary for the student and, if appropriate, provided a copy of the 504 Plan. A copy of this plan shall be kept in the student’s cumulative file in a manner that limits access to those persons involved in the 504 process and/or the provision of services and modifications.
5. The disabled student shall be placed in the regular education environment unless it is demonstrated that the student’s needs cannot be met in the regular education environment with supplementary aids and services. The disabled student shall be educated with students who are not disabled to the maximum extent appropriate to his/her individual needs.
6. The referral, assessment, evaluation and placement process will be completed within a reasonable time. It is generally not reasonable to exceed 50 school days in completing this process.
7. The parents/guardians shall be notified in writing of the final decision concerning the student’s identification as a person with disabilities, the educational program and services to be provided, if any, and of the Section 504 procedural safeguards, as described below, including the right to an impartial hearing to challenge the decision.
8. If the 504 Team determines that the student is disabled but that no special services are necessary for the student, the 504 Plan shall reflect the identification of the student as a disabled person under Section 504 and shall state the basis for the decision that no special services are presently needed.
9. The 504 Plan shall include a schedule for annual review of the student’s needs, and indicate that this review may occur more frequently at the request of the parent/guardian or school staff.

D. Review of the Student's Progress

1. The 504 Team shall monitor the progress of the disabled student and the effectiveness of the student's 504 Plan. According to the review schedule set out in the student's 504 Plan, the 504 Team shall annually determine whether the services and modifications are appropriate.
2. A reevaluation of the student's needs shall be conducted before any subsequent significant change in placement.

E. Procedural Safeguards

1. Parents/guardians shall be notified in writing of all decisions regarding the identification, evaluation or educational placement of students with disabilities or suspected disabilities. Notifications shall include a statement of their rights to:
 - Examine relevant records
 - Have an impartial hearing with an opportunity for participation by the parents/guardians and their counsel
 - Have the right to file a Uniform Complaint pursuant to school policy
 - Seek review in federal court if the parents/guardians disagree with the hearing decision.
2. Notifications shall also set forth the procedures for requesting an impartial hearing. Requests shall be made to Superintendent/Executive Director, 504 Coordinator c/o Discovery Charter School, 4021 Teale Ave, San Jose, CA 95117. Notifications shall advise that reimbursement for attorney's fees is available only as authorized by law.
3. The Superintendent/Executive Director shall maintain a list of impartial hearing officers who are qualified and willing to conduct Section 504 hearings. To ensure impartiality, such officers shall not be employed by or under contract with any district within the Santa Clara County Office of Education's SELPA or the County Office of Education in any capacity other than that of hearing officer and shall not have any professional or personal involvement that would affect their impartiality or objectivity in the matter.
4. If a parent/guardian disagrees with the identification, evaluation or educational placement of a student with disabilities under Section 504, he/she may request a hearing to initiate due process procedures. The parent/guardian shall set forth in writing his/her request for a hearing. A request for hearing should include:
 - The specific decision or action with which the parent/guardian disagrees.
 - The changes to the 504 Plan the parent/guardian seeks.
 - Any other information the parent/guardian believes is pertinent.

5. Within 5 calendar days of receiving the parent/guardian's request for a hearing, Discovery may offer the parent/guardian an optional alternative dispute resolution process. However, the timeline for the hearing shall remain in effect unless it is extended by mutual written agreement of the parent/guardian and Discovery. Alternative dispute resolution options include:
 - Mediation by a neutral third party.
 - Review of the 504 Plan by the Superintendent/Executive Director or designee.
6. Within 10 calendar days of receiving the parent/guardian's request, the Superintendent/Executive Director or designee shall select an impartial hearing officer. These 10 days may be extended for good cause or by mutual agreement of the parent/guardian and Superintendent/Executive Director.
7. Within 35 calendar days of the selection of the hearing officer, the due process hearing shall be conducted. These 35 days may be extended for good cause or by mutual agreement of the parent/guardian and Superintendent/Executive Director.
8. The parent/guardian and Discovery shall be afforded the rights to:
 - Be accompanied and advised by counsel and by individuals with special knowledge or training related to the individual needs of students who are qualified as disabled under Section 504.
 - Present written and oral evidence.
 - Question and cross-examine witnesses.
 - Receive written findings by the hearing officer.
9. The hearing officer shall issue a written decision within 10 calendar days of the hearing.
10. If desired, either party may seek a review of the hearing officer's decision by a federal court. The decision shall be implemented unless the decision is stayed, modified or overturned by a court.

ATTACHMENT 14: ARTICLES OF INCORPORATION

ORIGINAL ARTICLES OF INCORPORATION

2632136

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

APR 08 2005

ARTICLES OF INCORPORATION
OF
PARENT PARTICIPATION CHARTER SCHOOL, INC.

Article I

The name of the corporation is Parent Participation Charter School, Inc.

Article II

A. This corporation is a nonprofit public benefit corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for public and charitable purposes.

B. The specific purpose of this corporation is to manage, operate, guide, direct and promote a California public charter school.

Article III

The name and address in the State of California of the Corporation's initial agent for service of process is Peter W. Gumaer, 1901 S. Bascom Avenue, Suite 350, Campbell, California 95008.

Article IV


A. This corporation is organized and operated exclusively for charitable purposes within the meaning of Internal Revenue Code § 501(c)(3).

B. No substantial part of the activities of this corporation shall consist of carrying on propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate or intervene in any political campaign (including the publishing or distribution of statements) on behalf of any candidate for public office.

Article V

The property of this corporation is irrevocably dedicated to charitable purposes and no part of the net income or assets of this corporation shall ever inure to the benefit of any director, officer or member thereof or to the benefit of any private person. Upon the dissolution or winding up of the corporation, its assets remaining after payment, or provision for payment, of all debts and liabilities of this corporation shall be distributed to a nonprofit fund, foundation or corporation which is organized and operated

exclusively for educational purposes and which has established its tax exempt status under Section 501(c)(3), Internal Revenue Code.



Karen Gumaer



AMENDED ARTICLES OF INCORPORATION

A nonprofit public benefit corporation is required to furnish an additional copy of a corporate document for forwarding to the Office of the Attorney General. One of your copies has been sent by this office in compliance with Section 5120(d), California Corporations Code.

0627842

State of California
Secretary of State



[Handwritten signature]

I, BRUCE McPHERSON, Secretary of State of the State of California, hereby certify:

That the attached transcript of 1 page(s) has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of

MAY 10 2007



[Handwritten signature of Bruce McPherson]

BRUCE McPHERSON
Secretary of State

See State Form CE-107 (REV 03/1/05)

R0627842

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

MAY - 5 2005

**CERTIFICATE OF AMENDMENT OF
ARTICLES OF INCORPORATION**

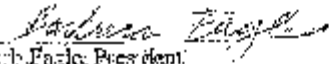
The undersigned certify that:

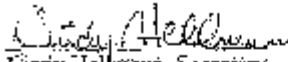
1. They are the president and the secretary, respectively, of Parent Participation Charter School, Inc., a California corporation.
2. Article I of the Articles of Incorporation of this corporation is amended to read as follows:

This name of the corporation is Discovery Charter School.
3. The foregoing amendment of Articles of Incorporation has been duly approved by the board of directors.
4. The corporation has no members.

We further declare under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true and correct of our own knowledge.

Dated: 5/4/05


Barb Eagle, President


Cindy Helgeson, Secretary



ATTACHMENT 15: 501C3 LETTER

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **SEP 19 2007**

DISCOVERY CHARTER SCHOOL
C/O STEPHEN FISS
4021 TEALE AVE
SAN JOSE, CA 95117

Employer Identification Number:
37-1509106
DLN:
17053291021006
Contact Person:
JENNIFER NICOLIN ID# 95152
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
June 30
Public Charity Status:
170(b)(1)(A)(ii)
Form 990 Required:
Yes
Effective Date of Exemption:
April 8, 2005
Contribution Deductibility:
Yes

noted
EF
9/24/07

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed information for Exempt Organizations Under Section 501(c)(3) for some helpful information about your responsibilities as an exempt organization.

Sincerely,



Robert Choi
Director, Exempt Organizations
Rulings and Agreements

Enclosures: Information for Organizations Exempt Under Section 501(c)(3)

Letter 947 (D0/CG)

ATTACHMENT 16: DISCOVERY CHARTER SCHOOL BYLAWS

**BYLAWS
OF
Discovery Charter School**

(A California Nonprofit Public Benefit Corporation)

**ARTICLE I
NAME**

Section 1. **NAME.** The name of this corporation is Discovery Charter School (“Discovery” or “the Corporation”).

**ARTICLE II
PRINCIPAL OFFICE OF THE CORPORATION**

Section 1. **PRINCIPAL OFFICE OF THE CORPORATION.** The principal office for the transaction of the activities and affairs of this corporation is 4021 Teale Avenue, in San Jose, California. The Board of Directors may change the location of the principal office. Any such change of location must be noted by the Secretary on these bylaws opposite this Section; alternatively, this Section may be amended to state the new location.

Section 2. **OTHER OFFICES OF THE CORPORATION.** The Board of Directors may at any time establish branch or subordinate offices at any place or places where this corporation is qualified to conduct its activities.

**ARTICLE III
GENERAL AND SPECIFIC PURPOSES; LIMITATIONS**

Section 1. **GENERAL AND SPECIFIC PURPOSES.** The purpose of this corporation is to manage, operate, guide, direct and promote one or more California public charter schools (“Charter Schools”). Also in the context of these purposes, the Corporation shall not, except to an insubstantial degree, engage in any other activities or exercise of power that do not further the purposes of the Corporation.

The Corporation shall not carry on any other activities not permitted to be carried on by: (a) a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code; or (b) a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code. No substantial part of the activities of the Corporation shall consist of the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distributing of statements) any political campaign on behalf of or in opposition to any candidate for public office.

**ARTICLE IV
CONSTRUCTION AND DEFINITIONS**

Section 1. CONSTRUCTION AND DEFINITIONS. Unless the context indicates otherwise, the general provisions, rules of construction, and definitions in the California Nonprofit Corporation Law shall govern the construction of these bylaws. Without limiting the generality of the preceding sentence, the masculine gender includes the feminine and neuter, the singular includes the plural, and the plural includes the singular, and the term “person” includes both a legal entity and a natural person.

ARTICLE V DEDICATION OF ASSETS

Section 1. DEDICATION OF ASSETS. This corporation’s assets are irrevocably dedicated to public benefit purposes as set forth in the Charter Schools’ Charters. No part of the net earnings, properties, or assets of the corporation, on dissolution or otherwise, shall inure to the benefit of any private person or individual, or to any director or officer of the corporation. On liquidation or dissolution, all properties and assets remaining after payment, or provision for payment, of all debts and liabilities of the corporation shall be distributed to a nonprofit fund, foundation, or corporation that is organized and operated exclusively for charitable purposes and that has established its exempt status under Internal Revenue Code section 501(c)(3).

ARTICLE VI CORPORATIONS WITHOUT MEMBERS

Section 1. CORPORATIONS WITHOUT MEMBERS. This corporation shall have no voting members within the meaning of the Nonprofit Corporation Law. Any action that would otherwise require approval by a majority of all members shall only require approval of the Board of Directors (“Board”). All rights that would otherwise vest in the members shall vest in the Board.

ARTICLE VII BOARD OF DIRECTORS

Section 1. GENERAL POWERS. Subject to the provisions and limitations of the California Nonprofit Public Benefit Corporation Law and any other applicable laws, and subject to any limitations of the articles of incorporation or bylaws, the corporation’s activities and affairs shall be managed, and all corporate powers shall be exercised, by or under the direction of the Board of Directors (“Board”). The Board may delegate the management of the corporation’s activities to any person(s), management company or committees, however composed, provided that the activities and affairs of the corporation shall be managed and all corporate powers shall be exercised under the ultimate direction of the Board.

Section 2. SPECIFIC POWERS. Without prejudice to the general powers set forth in Section 1 of these bylaws, but subject to the same limitations, the Board of Directors shall have the power to:

- a. Appoint and remove, at the pleasure of the Board of Directors, all corporate officers, agents, and employees; prescribe powers and duties for them as are consistent with the law, the articles of incorporation, and these bylaws; fix their compensation; and require from them security for faithful service.
- b. Change the principal office or the principal business office in California from one location to another.

- c. Borrow money and incur indebtedness on the corporation's behalf and cause to be executed and delivered for the corporation's purposes, in the corporate name, promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecations, and other evidences of debt and securities.
- d. Adopt and use a corporate seal.
- e. To make disbursements from the funds and properties of the corporation as are required to fulfill the purposes of this corporation as are more fully set out in the Articles of Incorporation, and generally to conduct, manage, and control the activities and affairs of the corporation and to make rules and regulations not inconsistent with law, with the Articles of Incorporation , or with these Bylaws, as they may deem best.
- f. To the extent permitted by the exempt status of the organization, to carry on a business at a profit and apply any profit that results from the business activity to any activity in which it may legally engage.

Section 3. BOARD COMPOSITION. In accordance with the terms of the Corporation's charters, the number of Directors shall be no less than five (5) and no more than eleven (11), the precise number of seated Directors to be determined by Board action. All Directors shall be designated by the existing Board of Directors. All directors are to be designated at the corporation's annual meeting of the Board of Directors, or at a special meeting called for this purpose.

In selecting Board members, Directors shall look for parent and community representatives with expertise in areas such as school administration or operations, teaching, business, accounting, law, nonprofit organizations, and fundraising. Additionally, in accordance with Education Code section 47604(b), the charter authorizer may appoint a representative to the Board. All Directors shall be voting.

Section 4. DIRECTORS' TERM. Each director shall hold office for two (2) years, unless otherwise removed from office in accordance with these bylaws, and until a successor Director has been designated and qualified. Directors' terms of service shall be staggered to ensure continuity in governance. The staggering of Directors' terms shall be set by Board action.

Section 5. NOMINATIONS BY COMMITTEE. The President of the Board of Directors will appoint a committee ("Nominating Committee") to review applicants and designate qualified candidates for election to the Board of Directors in accordance with a timeline established by the Board. The nominating committee shall make its report in accordance with the timeline established by the Board and the Secretary shall forward to each Board member, with the notice of meeting required by these Bylaws, a list of all candidates nominated by committee. The Board of Directors shall not be limited in its consideration of candidates for Board Members to the list submitted by the Nominating Committee but may also nominate candidates.

Section 6. USE OF CORPORATE FUNDS TO SUPPORT NOMINEE. No corporation funds may be expended to support a nominee without the Board's authorization.

Section 7. EVENTS CAUSING VACANCIES ON BOARD. A vacancy or vacancies on the Board of Directors shall occur in the event of (a) the death, resignation, or removal of any director; (b) the declaration by resolution of the Board of Directors of a vacancy in the office of a director who has been

convicted of a felony, declared of unsound mind by a court order, or found by final order or judgment of any court to have breached a duty under California Nonprofit Public Benefit Corporation Law, Chapter 2, Article 3; or (c) the increase of the authorized number of directors.

Section 8. RESIGNATION OF DIRECTORS. Except as provided below, any director may resign by giving written notice to the President of the Board, or the Secretary, or to the Board. The resignation shall be effective when the notice is given unless the notice specifies a later time for the resignation to become effective. If a director's resignation is effective at a later time, the Board of Directors may elect a successor to take office as of the date when the resignation becomes effective.

Section 9. DIRECTOR MAY NOT RESIGN IF NO DIRECTOR REMAINS. Except on notice to the California Attorney General, no director may resign if the corporation would be left without a duly elected director or directors.

Section 10. REMOVAL OF DIRECTORS. A Director may be removed from office if any of the following has been found to have occurred:

- (a) The Director misses three or more consecutive Board meetings or one third of the meetings in calendar year without cause.
- (b) The Director becomes physically incapacitated or his or her inability to serve is established in the minds of a majority of the Board.
- (c) A conflict of interest is found to exist between the Director and the Corporation.
- (d) The Director is found to have engaged in activities that are directly contrary to the interests of the Corporation.
- (e) The Director is found to be engaged in the misrepresentation of the Corporation and its policies to outside third parties, either willfully, or on a repeated basis.
- (f) The Director has not served as required on a Board designated committee or completed the assignment.

Before any removal occurs, the Director will be advised of the allegation and the basis for the allegation, and will be given an opportunity to present to the Board any contrary evidence, or explanation he or she may have. Removal must be by the vote of the Board at a meeting held in accordance with the provisions of the Ralph M. Brown Act ("Brown Act"), Chapter 9 (commencing with Section 54950) of Division 2 of Title 5 of the Government Code) and as said chapter may be modified by subsequent legislation.

Section 11. VACANCIES FILLED BY BOARD. Vacancies on the Board of Directors may be filled by approval of the Board of Directors or, if the number of directors then in office is less than a quorum, by (a) the affirmative vote of a majority of the directors then in office at a meeting held according to the Brown Act, or (b) a sole remaining director.

Section 12. NO VACANCY ON REDUCTION OF NUMBER OF DIRECTORS. Any reduction of the authorized number of directors shall not result in any directors being removed before his or her term of office expires.

Section 13. PLACE OF BOARD OF DIRECTORS MEETINGS. Meetings shall be held at the principal office of the Corporation. The Board of Directors may designate that a meeting be held at any place within California that has been designated in the notice of the meeting, subject to the requirements of the Brown Act.

Section 14. MEETINGS; ANNUAL MEETINGS. All meetings of the Board of Directors and its committees shall be called, noticed, held, and conducted in compliance with the provisions of the Ralph M. Brown Act ("Brown Act"). (Chapter 9 (commencing with Section 54950) of Division 2 of Title 5 of the Government Code) and as said chapter may be modified by subsequent legislation. All meetings of the Board of Directors shall be conducted under the most recent version of Robert's Rules of Order as of 1 May 2007. The version of Robert's Rules to be used by the Board may be changed by Board action.

The Board of Directors shall meet annually for the purpose of organization, appointment of officers, and the transaction of such other business as may properly be brought before the meeting. This meeting shall be held at a time, date, and place as may be specified and noticed by action of the Board of Directors.

Section 15. REGULAR MEETINGS. Regular meetings of the Board of Directors, including annual meetings, shall be held at such times and places as may from time to time be fixed by the Board of Directors. At least 72 hours before a regular meeting, the Board of Directors, or its designee shall post an agenda at each School site as well as on the Corporation's website containing a brief general description of each item of business to be transacted or discussed at the meeting.

Section 16. SPECIAL MEETINGS. Special meetings of the Board of Directors for any purpose may be called at any time by the President of the Board of Directors, or the Vice President in the absence of the President. In the absence of the President and Vice President, any other presiding officer of the Board may call a special meeting. The party calling a special meeting shall determine the place, date, and time thereof.

Section 17. NOTICE OF SPECIAL MEETINGS. In accordance with the Brown Act, special meetings of the Board of Directors may be held only after twenty-four (24) hours' notice is given to the public through the posting of an agenda at each School site as well as on the Corporation's website. Additionally, Directors shall receive notice of special meetings as follows:

- a. Any such notice shall be addressed or delivered to each director at the director's address as it is shown on the records of the Corporation, or as may have been given to the Corporation by the director for purposes of notice, or, if an address is not shown on the Corporation's records or is not readily ascertainable, at the place at which the meetings of the Board of Directors are regularly held.
- b. Notice by mail shall be deemed received at the time a properly addressed written notice is deposited in the United States mail, postage prepaid. Any other written notice shall be deemed received at the time it is personally delivered to the recipient or is delivered to a common carrier for transmission, or is actually transmitted by the person giving the notice by electronic means to the recipient. Oral notice shall be deemed received at the time it is communicated, in person or by telephone or wireless, to the recipient or to a person at the office of the recipient

whom the person giving the notice has reason to believe will promptly communicate it to the receiver.

- c. The notice of special meeting shall state the time of the meeting, and the place if the place is other than the principal office of the Corporation, and the general nature of the business proposed to be transacted at the meeting. No business, other than the business the general nature of which was set forth in the notice of the meeting, may be transacted at a special meeting.

Section 18. QUORUM. A majority of the voting directors then in office shall constitute a quorum. All acts or decisions of the Board of Directors will be by majority vote based upon the presence of a quorum. Should there be less than a majority of the directors present at any meeting, the meeting shall be adjourned. Voting directors may not vote by proxy.

Section 19. TELECONFERENCE MEETINGS. Members of the Board of Directors may participate in teleconference meetings so long as all of the following requirements in the Brown Act are complied with:

- a. At a minimum, a quorum of the members of the Board of Directors shall participate in the teleconference meeting from locations within the boundaries of the school district in which the Charter School operates;
- b. All votes taken during a teleconference meeting shall be by roll call;
- c. If the Board of Directors elects to use teleconferencing, it shall post agendas at all teleconference locations with each teleconference location being identified in the notice and agenda of the meeting;
- d. All locations where a member of the Board of Directors participates in a meeting via teleconference must be fully accessible to members of the public and shall be listed on the agenda;³
- e. Members of the public must be able to hear what is said during the meeting and shall be provided with an opportunity to address the Board of Directors directly at each teleconference location; and
- f. The agenda shall indicate that members of the public attending a meeting conducted via teleconference need not give their name when entering the conference call.⁴

Section 20. ADJOURNMENT. A majority of the directors present, whether or not a quorum is present, may adjourn any Board of Directors meeting to another time or place. If a meeting is adjourned for

³This means that members of the Board of Directors who choose to utilize their homes or offices as teleconference locations must open these locations to the public and accommodate any members of the public who wish to attend the meeting at that location.

⁴The Brown Act prohibits requiring members of the public to provide their names as a condition of attendance at the meeting.

more than twenty-four (24) hours, notice of such adjournment to another time or place shall be given, prior to the time schedule for the continuation of the meeting, to the directors who were not present at the time of the adjournment, and to the public in the manner prescribed by any applicable public open meeting law.

Section 21. COMPENSATION AND REIMBURSEMENT. Directors shall not receive compensation for their services as directors or officers but may receive reimbursement of expenses incurred in carrying out their duties as directors or officers that the Board of Directors has approved in advance and determined by action to be just and reasonable at the time the action is adopted.

Section 22. BOARD COMMITTEES. The Board, by Board action adopted by a majority of the directors then in office, may create one or more committees, each consisting of two or more voting directors and no one who is not a director, to serve at the pleasure of the Board. Appointments to committees of the Board of Directors shall be by majority vote of the directors. The Board of Directors may appoint one or more directors as alternate members of any such committee, who may replace any absent member at any meeting. Any such committee shall have all the authority of the Board, to the extent provided in the Board of Directors' resolution, except that no committee may:

- a. Take any final action on any matter that, under the California Nonprofit Public Benefit Corporation Law, also requires approval of the members or approval of a majority of all members;
- b. Fill vacancies on the Board of Directors or any committee of the Board;
- c. Fix compensation of the directors for serving on the Board of Directors or on any committee;
- d. Amend or repeal bylaws or adopt new bylaws;
- e. Amend or repeal any resolution of the Board of Directors that by its express terms is not so amendable or subject to repeal;
- f. Create any other committees of the Board of Directors or appoint the members of committees of the Board;
- g. Expend corporate funds to support a nominee for director if more people have been nominated for director than can be elected; or
- h. Approve any contract or transaction to which the corporation is a party and in which one or more of its directors has a material financial interest.

Section 23. MEETINGS AND ACTION OF COMMITTEES. Meetings and actions of committees of the Board of Directors shall be governed by, held, and taken under the provisions of these bylaws concerning meetings, other Board of Directors' actions, and the Brown Act, if applicable, except that the time for general meetings of such committees and the calling of special meetings of such committees may be set either by Board of Directors' resolution or, if none, by resolution of the committee. All meetings of Board committees shall be conducted under the rules established by the Board. Minutes of each meeting shall be kept and shall be filed with the corporate records. The Board of Directors may adopt rules for the governance of any committee as long as the rules are consistent with these bylaws. If the Board of Directors has not adopted rules, the committee may do so.

Section 24. NON-LIABILITY OF DIRECTORS. No director shall be personally liable for the debts, liabilities, or other obligations of this corporation.

Section 25. COMPLIANCE WITH LAWS GOVERNING STUDENT RECORDS. The Charter School and the Board of Directors shall comply with all applicable provisions of the Family Education Rights Privacy Act (“FERPA”) as set forth in Title 20 of the United States Code Section 1232g and attendant regulations as they may be amended from time to time.

ARTICLE VIII OFFICERS OF THE CORPORATION

Section 1. OFFICES HELD. The officers of this corporation shall be a President, a Vice-President, a Treasurer, and a Secretary. The corporation, at the Board’s direction, may also have a Chairman of the Board, one or more Vice-Presidents, one or more assistant secretaries, one or more assistant treasurers, and such other officers as may be appointed under Article VIII, Section 4, of these bylaws.

Section 2. NO DUPLICATION OF OFFICE HOLDERS. No officer may concurrently hold more than one office.

Section 3. ELECTION OF OFFICERS. The officers of this corporation shall be chosen annually by the Board of Directors and shall serve at the pleasure of the Board.

Section 4. APPOINTMENT OF OTHER OFFICERS. The Board of Directors may appoint and authorize the Chairman of the Board, the President, or another officer to appoint any other officers that the corporation may require. Each appointed officer shall have the title and authority, hold office for the period, and perform the duties specified in the bylaws or established by the Board.

Section 5. REMOVAL OF OFFICERS. The Board of Directors may, by a majority of the Directors in office, remove any officer with or without cause. An officer who was not chosen by the Board of Directors may be removed by any other officer on whom the Board of Directors confers the power of removal.

Section 6. RESIGNATION OF OFFICERS. Any officer may resign at any time by giving written notice to the Board. The resignation shall take effect on the date the notice is received or at any later time specified in the notice. Unless otherwise specified in the notice, the resignation need not be accepted to be effective. Any resignation shall be without prejudice to any rights of the corporation under any contract to which the officer is a party.

Section 7. VACANCIES IN OFFICE. A vacancy in any office because of death, resignation, removal, disqualification, or any other cause shall be filled in the manner prescribed in these bylaws for normal appointment to that office, provided, however, that vacancies need not be filled on an annual basis.

Section 8. PRESIDENT. The President shall preside at all Board of Directors’ meetings. The President shall have such other powers and duties as the Board of Directors or the bylaws may require.

Section 9. VICE-PRESIDENTS. If the President is absent or disabled, the Vice-Presidents, if any, in order of their rank as fixed by the Board, or, if not ranked, a Vice-President designated by the Board, shall perform all duties of the President. When so acting, a Vice-President shall have all powers of and be subject to all restrictions on the President. The Vice-Presidents shall have such other powers and perform such other duties as the Board of Directors or the bylaws may require.

Section 10. TREASURER. The Treasurer shall keep and maintain, or cause to be kept and maintained, adequate and correct books and accounts of the corporation's properties and transactions. The Treasurer shall send or cause to be given to directors such financial statements and reports as are required to be given by law, by these bylaws, or by the Board. The books of account shall be open to inspection by any director at all reasonable times.

The Treasurer shall (a) deposit, or cause to be deposited, all money and other valuables in the name and to the credit of the corporation with such depositories as the Board of Directors may designate; (b) disburse the corporation's funds as the Board of Directors may order; (c) render to the President, Chairman of the Board, if any, and the Board, when requested, an account of all transactions as Treasurer and of the financial condition of the corporation; and (d) have such other powers and perform such other duties as the Board, job specification, or the bylaws may require.

If required by the Board, the Treasurer shall give the corporation a bond in the amount and with the surety or sureties specified by the Board of Directors for faithful performance of the duties of the office and for restoration to the corporation of all of its books, papers, vouchers, money, and other property of every kind in the possession or under the control of the Treasurer on his or her death, resignation, retirement, or removal from office.

Section 11. SECRETARY. The Secretary shall keep or cause to be kept, at the corporation's principal office or such other place as the Board of Directors may direct, a book of minutes of all meetings, proceedings, and actions of the Board and of committees of the Board. The minutes of meetings shall include the time and place that the meeting was held; whether the meeting was annual, regular, special, or emergency and, if special or emergency, how authorized; the notice given; and the names of the directors present at Board of Directors and committee meetings.

The Secretary shall keep or cause to be kept, at the principal California office, a copy of the articles of incorporation and bylaws, as amended to date.

The Secretary shall give, or cause to be given, notice of all meetings of the Board and of committees of the Board of Directors that these bylaws require to be given. The Secretary shall keep the corporate seal, if any, in safe custody and shall have such other powers and perform such other duties as the Board of Directors or the bylaws may require.

ARTICLE IX CONTRACTS WITH DIRECTORS

Section 1. CONTRACTS WITH DIRECTORS. The Corporation shall not enter into a contract or transaction in which a director directly or indirectly has a material financial interest unless all of the following apply:

- a. The director with a material financial interest in the proposed contract or transaction fully

discloses his/her financial interest in such contract or transaction in good faith and said disclosure is noted in the Board of Directors meeting minutes.

- b. The director with a material financial interest in the proposed contract or transaction recuses himself/herself from any participation whatsoever in the proposed contract or transaction (i.e., the interested director who recuses himself/herself shall refrain from voting on the matter and shall leave the room during Board discussion and when the final vote is taken).
- c. Such contract or transaction is authorized in good faith by a majority of the Board of Directors by a vote sufficient for that purpose.
- d. Before authorizing or approving the transaction, the Board of Directors considers and in good faith decides after reasonable investigation that the corporation could not obtain a more advantageous arrangement with reasonable effort under the circumstances.
- e. The corporation for its own benefit enters into the transaction, which is fair and reasonable to the corporation at the time the transaction was entered into.

This Section does not apply to a transaction that is part of an educational or charitable program of this corporation if it (a) is approved or authorized by the corporation in good faith and without unjustified favoritism and (b) results in a benefit to one or more directors or their families because they are in the class of persons intended to be benefited by the educational or charitable program of this corporation.

ARTICLE X LOANS TO DIRECTORS AND OFFICERS

Section 1. LOANS TO DIRECTORS AND OFFICERS. This corporation shall not lend any money or property to or guarantee the obligation of any director or officer. The corporation may advance money to a director or officer of the corporation for expenses reasonably anticipated to be incurred in the performance of his or her duties if that director or officer would be entitled to reimbursement for such expenses of the corporation.

ARTICLE XI INDEMNIFICATION

Section 1. INDEMNIFICATION. To the fullest extent permitted by law, this corporation shall indemnify its directors, officers, employees, and other persons described in Corporations Code Section 5238(a), including persons formerly occupying any such positions, against all expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred by them in connection with any "proceeding," as that term is used in that section, and including an action by or in the right of the corporation by reason of the fact that the person is or was a person described in that section. "Expenses," as used in this bylaw, shall have the same meaning as in that section of the Corporations Code.

On written request to the Board of Directors by any person seeking indemnification under Corporations Code Section 5238 (b) or Section 5238 (c) the Board of Directors shall promptly decide under Corporations Code Section 5238 (e) whether the applicable standard of conduct set forth in Corporations Code Section 5238 (b) or Section 5238 (c) has been met and, if so, the Board of Directors shall authorize indemnification.

ARTICLE XII INSURANCE

Section 1. **INSURANCE.** This corporation shall have the right to purchase and maintain insurance to the full extent permitted by law on behalf of its directors, officers, employees, and other agents, to cover any liability asserted against or incurred by any director, officer, employee, or agent in such capacity or arising from the director's, officer's, employee's, or agent's status as such.

ARTICLE XIII MAINTENANCE OF CORPORATE RECORDS

- Section 1. **MAINTENANCE OF CORPORATE RECORDS.** This corporation shall keep:
- a. Adequate and correct books and records of account;
 - b. Written minutes of the proceedings of the Board and committees of the Board; and
 - c. Such reports and records as required by law.

ARTICLE XIV INSPECTION RIGHTS

Section 1. **DIRECTORS' RIGHT TO INSPECT.** Every director shall have the right at any reasonable time to inspect the corporation's books, records, documents of every kind, physical properties, and the records of each subsidiary as permitted by California and federal law. The inspection may be made in person or by the director's agent or attorney. The right of inspection includes the right to copy and make extracts of documents as permitted by California and federal law. This right to inspect may be circumscribed in instances where the right to inspect conflicts with California or federal law (e.g., restrictions on the release of educational records under FERPA) pertaining to access to books, records, and documents.

Section 2. **ACCOUNTING RECORDS AND MINUTES.** On written demand on the corporation, any director may inspect, copy, and make extracts of the accounting books and records and the minutes of the proceedings of the Board of Directors and committees of the Board of Directors at any reasonable time for a purpose reasonably related to the director's interest as a director. Any such inspection and copying may be made in person or by the director's agent or attorney. This right of inspection extends to the records of any subsidiary of the corporation.

Section 3. **MAINTENANCE AND INSPECTION OF ARTICLES AND BYLAWS.** This corporation shall keep at its principal California office the original or a copy of the articles of incorporation and bylaws, as amended to the current date, which shall be open to inspection by the directors at all reasonable times during office hours.

ARTICLE XV BYLAW AMENDMENTS

Section 1. **BYLAW AMENDMENTS.** The Board of Directors may adopt, amend or repeal any of these Bylaws by a majority of the directors in office at a meeting duly held at which a quorum is present,

except that no amendment shall change any provisions of the Charters operated by the Discovery Charter School nonprofit public benefit corporation, or make any provisions of these Bylaws inconsistent with that Charter, the Corporation's Articles of Incorporation, or any laws.

ARTICLE XVI
FISCAL YEAR

Section 1. FISCAL YEAR OF THE CORPORATION. The fiscal year of the Corporation shall begin on July 1st and end on June 30th of each year.

* * * *

CERTIFICATE OF SECRETARY

I certify that I am the duly elected and acting Secretary of Discovery Charter School a California nonprofit public benefit corporation; that these bylaws, consisting of 12 pages, are the bylaws of this corporation as adopted by the Board of Directors on August 15, 2012, and that these bylaws have not been amended or modified since that date.

Executed on August 15, 2012 at San Jose, California.

(Signature is on original.)

Raquel Watjen, Secretary

ATTACHMENT 17: BOARD MEMBER DEVELOPMENT PLAN

Recruiting Board members who can and will govern the school is vital. The Initial selection of individuals to the Board of Directors will begin with a strong set of qualifications. Members need to have understanding, skills, experience, and a willingness to contribute.

Five general qualifications that are necessary are:

- Commitment to and ownership of the school's mission
- Propensity to think in terms of systems and context
- Ability and eagerness to deal with values, vision, and the long term
- Ability to participate assertively and positively in deliberation
- Willingness to delegate and to allow others to make decisions

Quality governance and experience is vital. Board members will need to bring experience in a variety of applications such as, but not limited to, strategic planning, financial oversight, fundraising, endowment building, business management, education, human resources, audits, and administration.

Initial and ongoing training will be available. Initial training will include activity and program participation such as, but not limited to:

- Review and discussion of governance, policies, and Board bylaws.
Prospective members will need to understand the board's governance model, bylaws, policies, current conditions, and spending issues.
- Training through a nonprofit services company such as Compass Point. *(A Bay Area company specializing in leadership services and executive transition and training.)*

Supplementing and building skills will include activity and program participation such as, but not limited to:

- Yearly participation in a class or executive training for nonprofit Board members
- Attending training held by the California Charter School Association
- Continuous reading and review on subjects of Board governance, public charter schools, and other relevant subjects
- Look for networking opportunities in the nonprofit and charter school areas

ATTACHMENT 18: CONFLICT OF INTEREST CODE

**DISCOVERY CHARTER SCHOOL
CONFLICT-OF-INTEREST CODE**

(Revised 08/13/2012)

The California Political Reform Act (Govt. Code § 81000, *et seq.*) requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation (2 CCR § 18730) that contains the terms of a standard conflict-of-interest code, which can be incorporated by reference in an agency’s code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations § 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Exhibits A and B designating positions and establishing disclosure categories shall constitute the conflict of interest code of Discovery Charter School (“Charter School”), a California nonprofit corporation operating public charter schools.

Individuals holding designated positions shall fill out and return their Statements of Economic Interests (“Form 700”) to the Charter School’s Filing Official. If statements are received in signed paper format, the Charter School Filing Official shall make and retain copies and forward the originals to the County of Santa Clara Clerk of the Board of Supervisors. If statements are electronically filed using the County of Santa Clara’s Form 700 e-filing system, both the Charter School’s Filing Official and the County of Santa Clara Clerk of the Board will receive notice and access to the e-filed statement simultaneously. Copies of all Forms 700s retained by the Charter School will be available for public inspection and reproduction pursuant to Govt. Code § 81008.

EXHIBIT A
DESIGNATED POSITIONS

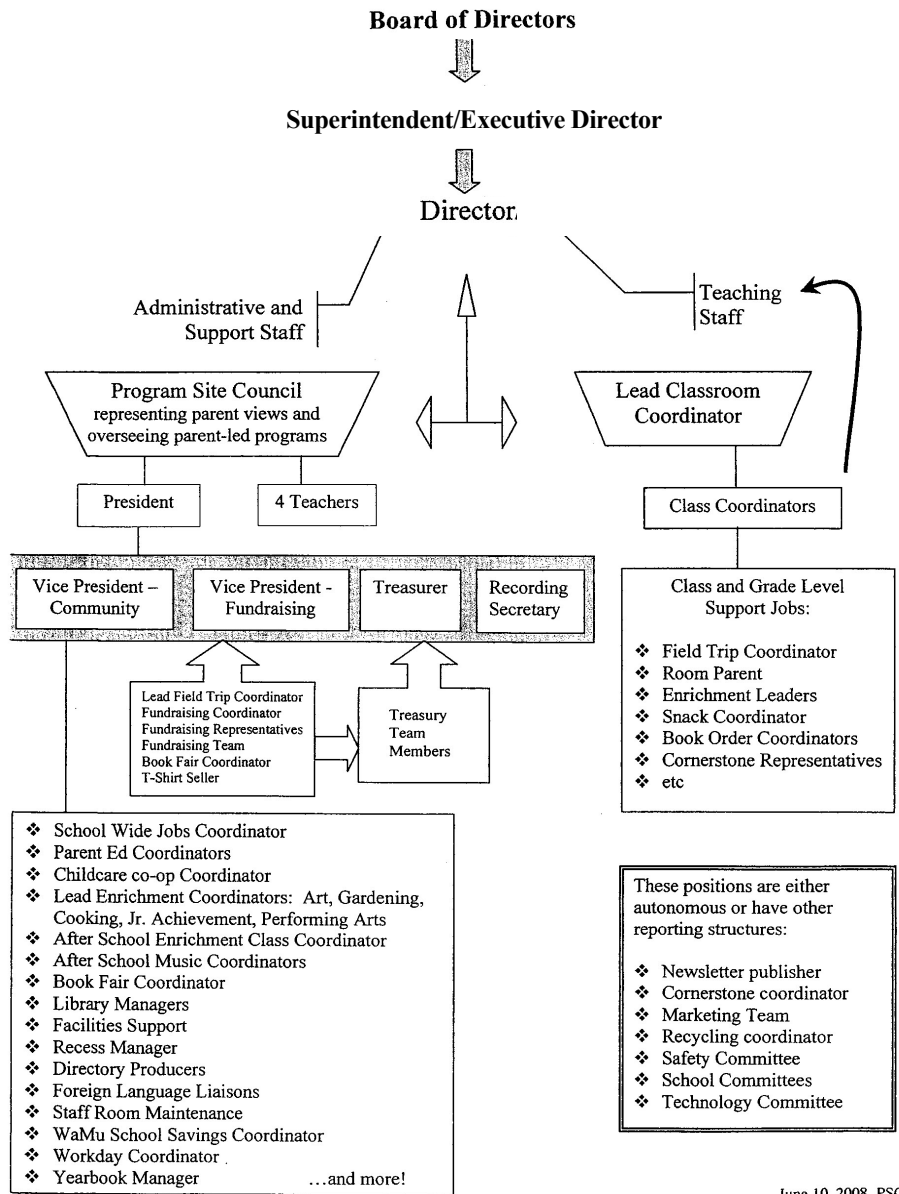
<u>Designated Position</u>	<u>Assigned Disclosure Category</u>
Member of the Board of Directors	1
Executive Director	1
Director of Business Services	1
School Director	1
Consultant	2

Adopted: August 15, 2012

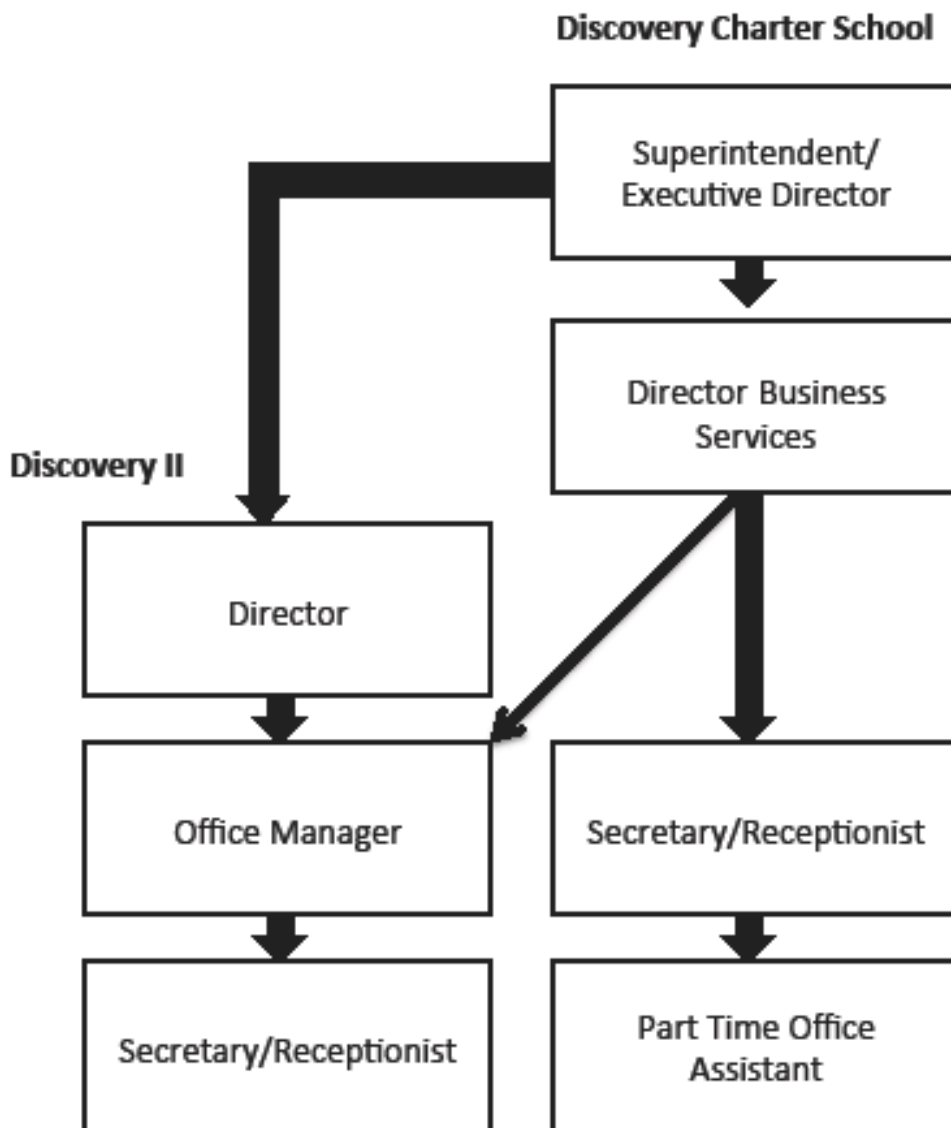
Approved by County of Santa Clara Office Board of Supervisors: October 9, 2012

ATTACHMENT 19: PROGRAM SITE COUNCIL

Discovery Charter School Program Site Council Flowchart



ATTACHMENT 20: EMPLOYEE ORGANIZATION CHART



ATTACHMENT 21: DISCOVERY EMERGENCY PLAN

**DISCOVERY CHARTER SCHOOL
SAMPLE EMERGENCY PLAN**

Revised 06/18/12

WALKIE TALKIE CHANNEL TO BE ON 3

CELL PHONE EMERGENCY NUMBERS:

Superintendent/Executive Director	XXX-XXX-XXXX
Director of Business Services	XXX-XXX-XXXX
Director	XXX-XXX-XXXX
Office Manager	XXX-XXX-XXXX

EMERGENCY TEAM

The Emergency Team will be composed of:

- **Director**
- **Office Manager**
 - **Secretary**
 - **YMCA Director**

ROOM CHECKERS

Office Manager
Secretary
Custodian

EMERGENCY SUPPLIES:

Emergency Backpacks	Located in every room.
Food and Water	Located in Staff Room (2).
Emergency Tools	Located in Staff Room (2).
Major First Aid Supplies	Located in Staff Room (2).

PROCEDURES (EXIT TO FIELD):

1. Students should exit building without talking.
2. Proceed to the large field.
3. Teachers will bring with them:
 - a. EMERGENCY FOLDER containing the Red and Green Cards, class roster, school map, and emergency plan.
 - b. RED EMERGENCY BACKPACK
4. Once outside, teachers will take role and hold up GREEN CARD if all OK. Hold up RED CARD if missing a student

5. The campus will be checked by assigned personnel to be sure that all students are accounted for.
6. Support staff (RSP, PE, etc.) will deliver students to their homeroom teachers on the field.
7. The Emergency Team will check in with the Director in numerical order of the buildings that each checks.
8. When all students have been accounted for, the ED or Teacher in Charge will check with all teachers and will, in the case of a fire drill, signal the All Clear to return to the classrooms, or in case of actual fire, signal the next steps.
9. The Office Manager or Secretary will turn off the alarm.

FOR ALL NATURAL DISASTERS, THE EMERGENCY TEAM WILL MEET AT THE EMERGENCY CENTER (THE ED'S OFFICE) AFTER ALL INITIAL RESPONSES HAVE BEEN COMPLETED.

FIRE

1. Teachers and classroom aides should accompany their students to the assigned evacuation areas being sure to take a GREEN AND RED CARDS, Emergency Folder with class roster, emergency plan, and school map.
2. Teachers also take the following items and close the classroom door and leave it unlocked. Be sure that students remain quiet and orderly.
 - a. EMERGENCY FOLDER containing the Red and Green Cards, class roster, school map, and emergency plan.
 - b. RED EMERGENCY BACKPACK
3. Once outside, teachers take role and account for any students who were not in the classroom at the time of evacuation. Show GREEN CARD for all is OK, RED CARD is for a MISSING STUDENT.
4. Designated personnel will check the campus.
5. Once checking is completed, the Director or Teacher-in-Charge will check with each teacher before signaling a return to the classroom.
6. In the event of an actual fire, students will be held at their evacuation locations until the buildings are secured and the situation is assessed. Depending on the time of the day, alternative dismissal plans may be implemented.

ALL CLEAR SIGNAL FOR FIRE:

When the "ALL CLEAR" signal is given by the site administrator or designee, staff is responsible to:

1. Render first aid if necessary. Notify the Office regarding any injured students.
2. The ED or Teacher in Charge will assess the situation and determine whether the "First Aid Team" needs to be activated.
3. RED and GREEN CARDS: Place RED outside the door or in window if a life-threatening situation is in the room. Place the GREEN card if all are accounted for and no emergencies exist inside the room.

4. Teachers must account for the status of students by taking roll. DO NO PERMIT ANY STUDENT TO LEAVE THE CLASSROOM FOR ANY REASON.
5. Report any person whose whereabouts are unknown, or who is injured, to the administration.
6. Emergency personnel will notify staff and students of evacuation through personal contact or phone.

EARTHQUAKE

If inside school buildings,

1. All school staff and students should:
 - Get under desk or table or other shelter or against inside wall;
 - Assume the "duck, cover, and hold" position and be silent so directions can be heard;
 - Stay in the "duck and cover" position until earthquake is over and/or until further instructions are given.
 - If no instructions are heard and shaking stops, evacuate building.
2. After the initial shock and things settle down, teachers evacuate classrooms with GREEN and RED CARDS, Emergency Folder with emergency plan, class roster, and school map. Teachers should also take their BLUE first aid kit. When exiting, they should leave doors open, and be alert to the possibility of aftershocks.
3. Teachers will take students to assigned evacuation areas, account for all students, and remain there until re-entry to school buildings has been approved and/or wait for further directions.
4. After the students and school staff have evacuated and the facilities have been checked, the Emergency Team will report for further instructions.
5. The Director will establish communications with emergency agencies as necessary
6. Report any serious injuries to the Emergency Center by sharing classroom supervision and releasing a volunteer or, if necessary, a teacher or aide to make the report.
7. The Office Manager and the Secretary will set up the ED's Office as the Emergency Center. All students will be released to parents or approved adult at the Emergency Center unless their teacher is authorized to do so by the Director or designee.
8. The school will automatically become a Disaster Center and will remain open until every child has been released to an authorized person.
9. All personnel will be required to remain on campus until released by the Director or designee.

If outside the school building,

1. All school staff and students should:
 - Get clear of all buildings, trees, exposed wires, or other hazards that may fall
 - Assume the "duck and cover" position until quake is over,

- Proceed to assigned evacuation areas and follow steps listed above.

ALL CLEAR FOR EARTHQUAKE

When the "ALL CLEAR" signal is given by the site administrator or designee, staff is responsible to:

1. Render first aid if necessary. Notify the Office regarding any injured students.
2. The ED or Teacher in Charge will assess the situation and determine whether the "First Aid Team" needs to be activated.
3. RED and GREEN CARDS: Place RED outside the door or in window if a life-threatening situation is in the room. Place the GREEN card if all are accounted for and no emergencies exist inside the room.
4. Teachers must account for the status of students by taking roll. DO NOT PERMIT ANY STUDENT TO LEAVE THE CLASSROOM FOR ANY REASON.
5. Report any person whose whereabouts are unknown, or who is injured, to the administration.
6. Emergency personnel will notify staff and students of evacuation through personal contact or phone.

CODE BLUE/LOCKDOWN-STRANGER ON CAMPUS

A Code-Blue Alert will be broadcast over the intercom or by the PA system.

1. Lock doors, close your windows and blinds, and move away from the windows and doors.
2. Keep students calm and go to drop position as you would for an earthquake drill.
3. Wait for additional instructions or all clear signal via walkie talkie, phone, or email.

INTRUDER, SHOOTING, AND HOSTAGE SITUATION

RESPONSIBILITIES OF STAFF IN DIRECT CONTACT WITH INTRUDER.

1. Staff and students should sit quietly if the situation is in their presence. TRY to remain calm. If gun fire starts, dive to the floor, try to go under cover and lie STILL.
2. DO NOT ENGAGE IN A CONVERSATION OR TRY TO PERSUADE THE INTRUDER TO LEAVE YOUR CLASSROOM OR SCHOOL. Remember, you are in an illogical situation so any logical argument may go unheard
3. If the intruder speaks to you or to your students; then answer him/her. DO NOT PROVOKE HIM/HER. Students should be told not to whisper to one another, laugh, or to make fun of the intruder.
4. Students should be taught to respond on their own when threatened. Incidents can occur which leave no time for signals. If students are outside and are unable to find a barrier such as a tree or are unable to get into a room, they should run to a safe area (NOT A RESTROOM).
5. If and when possible, call the San Jose Police Department at 9-1-1 (If using a cell phone, dial (408) 277- 8911 or dial 0 for the operator, who will transfer you to 911 in the proper location) and give your name, location, and the situation. Provide as many details as possible.

ALL CLEAR SIGNAL FOR CODE BLUE/LOCKDOWN:

When the "ALL CLEAR" signal is given by the site administrator or designee, staff is responsible to:

1. Render first aid if necessary. Notify the Office regarding any injured students.
2. The ED or Teacher in Charge will assess the situation and determine whether the "First Aid Team" needs to be activated.
3. RED and GREEN CARDS: Place RED outside the door or in window if a life-threatening situation is in the room. Place the GREEN card if all are accounted for and no emergencies exist inside the room.
4. Teachers must account for the status of students by taking roll. DO NO PERMIT ANY STUDENT TO LEAVE THE CLASSROOM FOR ANY REASON.
5. Report any person whose whereabouts are unknown, or who is injured, to the administration.
6. Emergency personnel will notify staff and students of evacuation through personal contact or phone.

CERTIFIED CPR/FIRST AID TRAINED PERSONNEL:

Director
Office Manager
Secretary
All Teachers
(Staff is trained annually on CPR/First Aid, Epi-Pen, and allergy safety)

**STUDENT GUIDELINES FOR CODE BLUE ON CAMPUS
STRANGER ON CAMPUS**

1. FOLLOW THE DIRECTIONS OF DISCOVERY TEACHERS, STAFF, OR VOLUNTEERS – THEY WILL TAKE CARE OF YOU.
2. STRANGER IN CLASS
 - The safe place is in the classroom.
 - CODE BLUE
3. OUTSIDE
 - Be aware of surroundings — Where would you go? (NOT BATHROOMS!)
4. RUN IN A WEAVING PATTERN WHEN RUNNING
5. REMEMBER TO TELL A DISCOVERY TEACHER OR STAFF MEMBER IF YOU SEE ANYONE ENGAGED IN SUSPICIOUS ACTIVITY OR IF YOU SEE SOMEONE YOU THINK SHOULD NOT BE ON OUR CAMPUS.

ATTACHMENT 22: EMPLOYEE RECRUITMENT PLAN

The Discovery Charter School Board desires to employ the most highly qualified and appropriate person available for each open position in order to carry out the school's mission. Candidates are recruited for open positions based on an assessment of the school's needs for specific skills, knowledge, and abilities in compliance with NCLB requirements. A job description that accurately describes all essential and marginal functions and duties of each position is developed. Job postings are disseminated through various methods to ensure a wide range of candidates. Various methods may include participating in recruitment fairs and educational conferences, developing university contacts, establishing a student teacher program at the site, advertising in newspapers and professional journals, and postings on websites of the following organizations: California Charter School Association, Charter Schools Development Center, Ed-Join, and local universities.

The Superintendent/Executive Director is responsible to oversee the selection procedures that identify the best possible candidate for each position based on screening processes, interviews, observations, and recommendations from previous employers. Interview committees are established, as appropriate, to rank candidates and recommend finalists. Staff, parents, and students are invited to participate in the selection process. All discussions and recommendations are confidential in accordance with law.

During job interviews applicants may be asked to describe or demonstrate how they will be able to perform the duties of the job. No inquiry shall be made with regard to any category of discrimination prohibited by state or federal law.

The Superintendent/Executive Director is responsible to make final staffing recommendations to the Board based on input from the interview committee. The Board will approve all personnel actions.

ATTACHMENT 23: JOB DESCRIPTIONS

DISCOVERY CHARTER SCHOOL

Rev/Est: 7/11/12

Job Code: 9032

EEOC Category: Official/Administrator

DIRECTOR

Job Summary:

Under direction of the Superintendent/Executive Director, is responsible for the day-to-day operations of his/her Discovery Charter School. Serves as leader of educational programming and advises the Superintendent/Executive Director and the Discovery Board regarding budget decisions, board policies, programming, etc. In collaboration with the Superintendent/Executive Director successfully implements Board policies, administers and supervises the school and its employees, leads development of educational program improvement, fosters a culture of positive, engaged learners, and serves as a strong advocate for the school's developmental philosophy and parental involvement.

Essential Functions:

Under direction of and in collaboration with the Superintendent/Executive Director, performs the following:

1. Educational Program Management

- In collaboration with staff, designs, implements, and maintains educational program incorporating brain-based research (thematic learning, multiple intelligences), multi-age, standards-based, developmental program. Ensures incorporation of state standards and assessments in educational program.
- In collaboration with staff, regularly evaluates educational program and makes recommendations to the Discovery Board.
- Monitors and analyzes student performance data and prepares reports. Analyzes information and develops support systems for performance improvement.
- In collaboration with staff, creates and maintains programs to meet diverse student needs including, but not limited to, GATE, remediation, and special education.
- Provides input and guidance to school support committees including, but not limited to, finance, facilities, and Program Site Council.
- Advises the Discovery Board regarding current educational practices, trends, and research as well as legislative developments affecting education. Makes recommendations to the Discovery Board and staff.
- Explains and clarifies information received from various agencies including County Office of Education, California Department of Education, State Board of Education, and California Charter School Association (CCSA), and advises the Discovery Board accordingly of required actions.
- Works with staff and parents to plan and develop a parent education program.
- In conjunction with staff, develops and implements discipline policies.

2. Operations Management/Supervision

- Ensures compliance with all applicable State and Federal laws and regulations including, but not limited to, financial, record keeping, and employment.

- Researches, identifies, and recommends vendors to the Discovery Board for contracted services including, but not limited to, payroll, facilities, and physical education. Makes vendor recommendations and negotiates contract terms that are most cost effective for Discovery.
- Responsible for overall vendor management. Establishes procedures and oversees periodic performance reviews of services received to evaluate their effectiveness.
- Solicits and encourages input from staff regarding problem resolution, policy proposals, and overall advancement of Discovery programs.
- Develops, implements, and monitors work practices, systems, and methods that are effective, efficient, and consistent with school policies and procedures.
- Organizes and implements safety and emergency procedures.
- Responsible for preparation of annual performance audit.
- Directs staff in research and development of new programs including, but not limited to, after school enrichment and lunch programs.
- Attends and participates in Discovery Board meetings and committee meetings, including, but not limited to, Program Site Council, finance, facilities, and Discovery Educational Foundation.
- Implements Board policies.
- Develops accountability timelines for special projects and monitors to ensure timely project completion.
- Manages recruitment of staff and makes hiring recommendations to the Superintendent/Executive Director. Evaluates and coaches staff.
- Oversees the creation of the staff's Professional Development Plans and delivery of performance appraisals.
- Manages staff training; provides opportunities for staff collaboration on an ongoing basis; coordinates all teacher work, in-service, and training days.
- Supervises staff and fosters positive, team oriented working relationships. Encourages and fosters collaborative environment among staff in order to develop and retain high quality employees.

3. Marketing/Communications Management

- Establishes and maintains professional and cooperative working relationships with all stakeholders: parents, students, staff, neighbors, and partners.
- Is a strong advocate for Discovery in the greater community and with the media. Promotes positive image and support for the school. Provides leadership in disseminating information to the public.
- Communicates issues, concerns, and needs of the Discovery community to the Discovery Board.
- Represents Discovery at district and county administrative meetings and other meetings as requested by the Discovery Board.
- Serves as liaison to the County and other outside agencies. Promotes and maintains a positive working relationship with the County. Responsible for reporting to and negotiating with the County regarding issues that directly impact Discovery.
- Maintains frequent and regular communications with parents through a weekly newsletter, school website, one-on-one meetings, etc., as appropriate.
- Fosters open and frequent communication with staff through staff letters, team meetings, classroom visits, coaching sessions, etc.

4. Fiscal Management

- Develops annual budget. Manages budgets (general fund, facilities, etc.) and makes recommendations to the Discovery Board.

- Works with the Discovery Board to set economic objectives, financial and accounting policies, and other fiscal policies and practices as necessary.
- Advises Discovery committees of pertinent legislative changes.
- Provides financial reports to the Discovery Board, the County, and other agencies as mandated by law.
- Arranges for quarterly and annual audits with an outside independent auditor to ensure the soundness of Discovery finances.

Performs other duties as assigned.

Employment Standards:

Education & Experience: Bachelors Degree in education or related field (required); MA or equivalent (desirable); California Administrative and Teaching Credential (desirable); Teach or Experience in Related Field (desirable). The Board reserves the right to consider candidates based upon a combination of education and experience.

Knowledge, Skills & Abilities:

Knowledge of:

- Local, state and federal laws applying to public schools and current trends in public school management;
- Special education needs and issues;
- Developmentally based educational programs; and
- Budget preparation and control procedures.

Skilled in:

- Managing developmentally based parent participation educational programs;
- Planning, coordinating, and directing work and activities of teaching professionals and other personnel, and developing a collaborative-oriented environment;
- Managing budgets, prioritizing expenditures, and seeking innovative methods for providing school resources;
- Recognizing needs and initiating actions in order to develop more efficient systems and procedures or to solve problems;
- Establishing and maintaining effective working relationships with children, staff, parents, community, and school board members; and
- Marketing and promoting developmental based educational programs and services.

Ability to:

- Communicate ideas and directives clearly and effectively both orally and in writing;
- Operate various office equipment;
- Tolerate high levels of stress; and
- Perform the essential functions of the position.

Working Conditions:

- Regular requirement to stand, walk, talk, hear, see, read, speak, reach, stretch with hands and arms, stoop, kneel, and crouch;
- Lift and carry objects weighing up to 50 pounds;
- Occasional exposure to blood, bodily fluids and tissue;
- Occasional interaction with unruly children; and
- Occasional evening and/or weekend work.

OFFICE MANAGER

Office Manager

Job Summary

Under direction of the Director of Business Services, is responsible for the day-to-day operations at a Discovery Charter School campus including, but not limited to, fiscal services, reporting requirements, operations, enrollment, transportation, nutrition services, information technologies, purchasing/warehouse, and facilities. Serves as an advocate for the school's developmental philosophy and parental involvement.

The Office Manager will be responsible both for helping prepare for school opening and for helping run the school once open. The school Office Manager is a full time, exempt position that reports to the Director of Business Services initially, and then to the School's Director as the school opening nears and once the 2013-14 school year begins. Office Managers should always exhibit professionalism, treat people with respect, and be firm but compassionate in the way that they address the day-to-day problems of the school.

Essential Functions:

During the school startup period Office Manager responsibilities will include:

Community Outreach and Student Recruitment

- Work with the Discovery Director, Director Business services, and Communication Task Force and to build relationships with the community and inspire and motivate families to join the school.
- Ensure school opens with full enrollment – and a robust waitlist in every grade – by recruiting kindergarten through sixth grade students to form the student body in the school's first year.
- Partner with Discovery's main office in their student recruitment efforts.
- Assist with fall lotteries and answer questions related to applications and the lottery process.
- Assist School's Director during Welcome Meetings for families of accepted students.
- Collect enrollment documents from accepted students.
- Coordinate work with Parent Leaders/Task Force members to be involved in the startup process.
- Assist with the procurement process, including placing orders and receiving/tracking supplies.
- Attend any professional development (PD) sessions.
- Shadowing OM/Business Director at existing schools and completing small assignments in preparation for all the responsibilities of an OM at an active school.

Once the school is open Office Manager responsibilities will include:

Parents and Community

- Build strong working relationships with parents and families.
- Assist with the successful coordination of community meetings and events, either through delegating to parents or completing independently.
- Use established communication systems to send out school information as necessary.
- Work closely with teachers to identify parents and families who are not as invested in the school community and actively work to change this.

Enrollment, Student Information, and Attendance

- Run Mandatory Registration Day before the start of school to gather student information and complete other start-of-year tasks with families.
- Create and maintain complete and current student cumulative files and be familiar with contents and structure of student information files.
- Enter student information into PowerSchool student information system before the school year begins, and keep this information up-to-date throughout the school year as enrollment or information changes.
- Maintain the Absentee Log; contact parents on a daily basis regarding absent students; record updates to attendance data in PowerSchool.
- Coordinate the school's truancy process and communicate with parents as needed regarding truancy issues.

Personnel

- Serves as custodian of confidential personnel records.
- Track Staff absences
- Collect Time Sheets and submit to Director of Business Services

Health, Safety and Discipline

- Maintain emergency medical and contact information for all students.
- Maintain complete and current immunization records for all students.
- Administer basic first aid, distribute medication, maintain injury reports, and contact parents as necessary.
- Be knowledgeable of all content in school safety binder, including emergency procedures.
- Report all injuries and other school incidents to the main Discovery Office
- Supervise students sent to the office for discipline and health reasons.
- Maintain forms and records for workplace safety (OSHA and Worker's Comp).

Meals

- Manage collection of free/reduced-lunch application forms from all families prior to the start of the school year.
- Collect lunch payments from parents

Finance

- Submit purchase orders to Finance or place orders directly with vendor.
- Forward order receipts or delivery receipt to Finance/Director Business Services.
- Submit weekly deposits, including copies of receipts collected.

Facilities

- Assist in managing and reporting day-to-day facilities problems.
- Schedule maintenance vendors and meet them as they arrive on campus.
- Execute responsibilities related to emergency situations as assigned by the Director.
- Ensure that all documents delivered or messages received are immediately given to main Discovery Office, as most issues are time sensitive.
- Maintain confidentiality regarding all information, oral and written, regarding students who receive special education services.
- Partner with specialists on a school site to arrange IEP or other meetings and as necessary or when needed.

Administrative

- Perform general clerical duties including answering phones, taking and distributing messages, sorting mail and preparing general correspondence.
- Facilitate arrangements for school activities and arrange logistics for meetings, teacher development, parent ed and other activities.
- Provide support to the Director and teachers as necessary.
- Act as a Director, when necessary, when Director is off site.

Performs other duties as assigned.

Employment Standards:

Education & Experience: Any combination of education and/or experience equivalent to a Bachelor’s degree in Public or Business Administration or related field from an accredited school; plus three years of related experience in fiscal services, administration, and human resources. Experience with a public school is preferred.

Knowledge, Skills & Abilities:

Knowledge of:

- Principles and practices of public school services and administration;
- Personnel and finance administration and sources of information related to public school issues;
- Research methods and report writing; and
- Effective public relations techniques.

Skilled in:

- Interpreting, implementing, and explaining complex rules, regulations, contracts, policies, and procedures;
- Analyzing problems, developing and evaluating options, and making sound recommendations;
- Writing reports, documents, correspondence, and memoranda;
- Using a personal computer and associated software for word-processors, spreadsheets, and databases;
- Making formal presentations to diverse groups;
- Establishing and maintaining effective working relationships with a variety of people;
- Prioritizing assignments and workload appropriately and responding to deadlines effectively; and
- First aid and CPR certification is highly desirable.

Ability to:

- Organize, coordinate, and oversee office activities;
- Operate standard office equipment such as computer, telephone, facsimile, photocopier, and other equipment;
- Tolerate high levels of stress;
- Work independently and in a team environment;
- Maintain confidentiality;
- Perform the essential functions of the position; and
- Speak Spanish is highly desirable.

Working Conditions:

- Regular requirement to stand, walk, talk, hear, see, read, speak, reach, stretch with hands and arms, stoop, kneel, and crouch;
- Lift and carry objects weighing up to 50 pounds;
- Occasional exposure to blood, bodily fluids, and tissue;
- Occasional interaction with unruly children; and
- Occasional evening and/or weekend work.

SCHOOL SECRETARY

Job Summary

Under direction of the school site Director, is responsible for the day-to-day operations at a Discovery Charter School campus including, but not limited to, enrollment, transportation, nutrition services, purchasing/warehouse, and facilities. Serves as an advocate for the school's developmental philosophy and parental involvement.

The School Secretary will be responsible for helping run the school once open. The school Secretary is a full time, hourly position that reports to the Office Manager. The School Secretary is the first point of contact for parents and students when they come to school, as well as a resource to the school community. School Secretaries should always exhibit professionalism, treat people with respect, and be firm but compassionate in the way that they address the day-to-day problems of the school.

Essential Functions:

- Assist with fall lotteries and answer questions related to applications and the lottery process.
- Collect enrollment documents from accepted students.
- Coordinate work with Parent Leaders/Task Force members to be involved in the startup process.

Once the school is open School Secretary responsibilities will include:

Parents and Community

- Build strong working relationships with parents and families.
- Assist with the successful coordination of community meetings and events, either through delegating to parents or completing independently.
- Use established communication systems to send out school information as necessary.
- Run Mandatory Registration Day before the start of school to gather student information and complete other start-of-year tasks with families.
- Be familiar with contents and structure of student information files.

Health, Safety, and Discipline

- Administer basic first aid, distribute medication, maintain injury reports, and contact parents as necessary.
- Be knowledgeable of all content in school safety binder, including emergency procedures.
- Report all injuries and other school incidents to the Office Manager.
- Supervise students sent to the office for discipline and health reasons.
- Maintain forms and records for workplace safety (OSHA and Worker's Comp).

Meals

- Collect lunch payments from parents.

Facilities

- Assist in managing and reporting day-to-day facilities problems.
- Schedule maintenance vendors and meet them as they arrive on campus.

- Execute responsibilities related to emergency situations as assigned by the Director.
- Ensure that all documents delivered or messages received are immediately given to main Discovery Office, as most issues are time sensitive.
- Maintain confidentiality regarding all information, oral and written, regarding students who receive special education services.
- Partner with specialists on a school site to arrange IEP or other meetings and as necessary or when needed.

Administrative

- Perform general clerical duties including answering phones, taking and distributing messages, sorting mail and preparing general correspondence.
- Facilitate arrangements for school activities and arrange logistics for meetings, teacher development, parent ed and other activities.
- Provide support to the Director, Office Manager, and teachers as necessary.

Performs other duties as assigned.

Employment Standards:

Education & Experience: Any combination of education and/or experience equivalent to a Bachelor's degree in Public or Business Administration or related field from an accredited school; plus three years of related experience in fiscal services, administration, and human resources. Experience with a public school is preferred.

Knowledge, Skills & Abilities:

Knowledge of:

- Principles and practices of public school services and administration;
- Personnel and finance administration and sources of information related to public school issues;
- Research methods and report writing; and
- Effective public relations techniques.

Skilled in:

- Interpreting, implementing, and explaining complex rules, regulations, contracts, policies, and procedures;
- Analyzing problems, developing and evaluating options, and making sound recommendations;
- Writing reports, documents, correspondence, and memoranda;
- Using a personal computer and associated software for word-processors, spreadsheets, and databases;
- Making formal presentations to diverse groups;
- Establishing and maintaining effective working relationships with a variety of people;
- Prioritizing assignments and workload appropriately and responding to deadlines effectively; and
- First aid and CPR certification is highly desirable.

Ability to:

- Organize, coordinate, and oversee office activities;
- Operate standard office equipment such as computer, telephone, facsimile, photocopier, and other equipment;
- Tolerate high levels of stress;

- Work independently and in a team environment;
- Maintain confidentiality;
- Perform the essential functions of the position; and
- Speak Spanish is highly desirable.

Working Conditions:

- Regular requirement to stand, walk, talk, hear, see, read, speak, reach, stretch with hands and arms, stoop, kneel, and crouch;
- Lift and carry objects weighing up to 50 pounds;
- Occasional exposure to blood, bodily fluids, and tissue;
- Occasional interaction with unruly children; and
- Occasional evening and/or weekend work.

Discovery Charter School

Job Codes: 2021, 2022

EEOC: Professional

TEACHER, K-8

Job Summary:

Under direction of Director, responsible for implementing developmental instructional programs for pupils in grades K-8.

Essential Job Functions:

- Develops instructional plans on a yearly and unit basis within the framework of the prescribed curriculum.
- Provides planned experiences that motivate pupils toward independent and original thought. Provide opportunities for student choice and decision-making.
- Develops a program to meet the needs of pupils with widely varying intelligence and capabilities by providing individualized and small-group instruction, multi-level materials, and independent study.
- Creates a functional and attractive environment for learning through displays, bulletin boards, and interest centers.
- Establishes and maintain standards of pupil behavior needed to provide an effective learning environment.
- Identifies pupil's needs and cooperate with other professionals to assess and help pupils solve health, attitude, and learning problems.
- Provides planned learning experiences which include leading pupils to reaching state goals and objectives.
- Develops and/or utilize appropriate evaluation systems and techniques which monitor pupils' progress toward mastering curricular objectives.
- Works cooperatively in measuring student growth; evaluate pupil's academic and social growth; keep appropriate records; prepare progress reports; and communicate with parents as needed on the pupil's progress.
- Uses student progress data to design classroom instruction and instructional intervention.
- Supervises pupils in out-of-classroom activities during the working day.
- Integrates field trips to enrich curricula.
- Shares in the responsibilities for school activities and participates in faculty committees.
- Instructs students in emergency procedures and supervises drills.
- Plans and pursues a program of personal professional growth; participates in appropriate School, county and statewide in-service education activities.
- Participates in the identification of School goals and objectives and the development of strategies for their implementation.
- Participates in curriculum improvement and other developmental programs within the school.
- Plans and coordinates the work of student teachers, aides, and other para-professionals, including parent volunteers.

- Works effectively with parent volunteers and help volunteers increase their understanding of teaching methodology and small group management skills.

Performs other duties as assigned.

Employment Standards:

Education& Experience: Possession of a Bachelor’s degree. Prior experience working with developmental based educational programs is highly desirable.

Credentials: Elementary level (K-5) teachers must possess a valid California Multiple Subject Teaching Credential. Middle school level (6-8) teachers must possess a valid California Multiple Subject Teaching Credential and/or Single Subject Teaching Credential, as well as, meet the NCLB “highly qualified teacher” requirements of core subject matter competency. Special Education Teachers must hold an appropriate credential.

Knowledge, Skills & Abilities:

- Knowledge of developmental based educational instructional strategies;
- Ability to communicate ideas and instruction clearly and effectively both orally and in writing;
- Ability to evaluate tests and measurements of achievement;
- Ability and desire to work effectively with classroom volunteers;
- Ability to work effectively as a team member;
- Ability to perform the essential functions of the position.

Working Conditions:

- Regular requirement to stand, walk, talk, hear, see, read, speak, reach, stretch with hands and arms, stoop, kneel and crouch;
- Lift and carry objects weighing up to 50 pounds;
- Occasional exposure to blood, bodily fluids and tissue;
- Occasional evening and/or weekend work.

ATTACHMENT 24: EMPLOYEE DEVELOPMENT PLAN

PLAN FOR THE DEVELOPMENT OF FACULTY AND STAFF

We believe that schools are only as strong and effective as their teaching faculty. One of our core goals at Discovery Charter Schools is to establish a culture of continuous learning not only for our students and parents, but for our staff as well. Teachers will collaborate to create curriculum and assessments and will be guided by professional development plans created jointly with administrators. In order to achieve this goal, teachers must be granted autonomy, while being supported and coached by administrators whose primary focus is student achievement. A leadership team, which includes grade level representatives, will meet monthly with the Director to plan grade level and staff meetings and address issues involving many aspects of school planning. Shared decision-making and consensus building are valued and inherent parts of our culture.

Discovery will implement a Professional Development Day before each school year begins. During the Professional Development Day teachers will work together to refine curriculum, create assessments, and define focus areas for the school year based upon the past year's student achievement data and parent survey results. In addition, teachers will have opportunities to attend workshops and conferences that are aligned with the school's goals and their professional development growth goals.

The school schedule and budget will support teacher learning by providing:

- A budget for each teacher to use on their own professional development during the school year;
- Weekly grade level and cross grade level meetings where staff will collaborate on curriculum, assessments, and teaching methods;
- Monthly staff meetings designed to discuss the latest research-based educational strategies and maintain a professional learning community among all Discovery staff; and
- A professional resource library and membership in a variety of professional organizations.

How Does Professional Development Enhance our Mission?

Meeting the Needs of the Whole Child

Each teacher will be provided the time and resources to adapt and develop their instruction to meet the needs of their diverse student population.

Teachers as Learners

We expect our teachers to continue to be learners. Each teacher will:

- Attend professional grade level meetings to discuss curriculum and assessment;
- Attend monthly staff meetings to collaborate on teaching practice, student behavior expectations, and other site-related issues; and
- Attend summer and winter professional development days.

Program Highlights

Professional Development Plan

The Director and each teacher or staff member will meet each fall to develop mutually agreed upon goals which will be reviewed during the course of the year and used as part of their year-end evaluation. All staff will be responsible for attending professional growth opportunities throughout the year and ensuring that they continue to develop their skills and range of knowledge about teaching and child development.

Teacher Observations

The Director, using both formal and informal observations, will observe all faculty on an ongoing basis. Informal observations can occur during any instructional time and will include a post-observation conference. Formal observations will include a pre-observation conference as well as a post-observation conference. The pre-observation conference may be conducted in person or through written communication. Post-observation conferences will be in person and will occur within three (3) school days after the observation. During the school year, each teacher will have at least two (2) formal observations. Probationary teachers will receive four (4) formal observations per year. Results of formal and informal observations, consisting of the teacher's and the Director's observations and recommendations, will be put in writing and included in the teacher's personnel file.

ASSESSING STUDENT LEARNING

Teachers establish and clearly communicate learning goals for all students. Teachers collect information about student performance from a variety of sources. Teachers involve all students in assessing their own learning. Teachers use information from a variety of ongoing assessments to plan and adjust learning opportunities that promote academic achievement and personal growth for all students. Teachers exchange information about student learning with students, families, and support personnel in ways that improve understanding and encourage further academic progress.

Meets the Standard:

Needs Improvement:

DEVELOPING AS A PROFESSIONAL EDUCATOR

Teachers reflect on their teaching practice and actively engage in planning their professional development. Teachers establish professional learning goals, pursue opportunities to develop professional knowledge and skill, and participate in the extended professional community. Teachers learn about and work with local communities to improve their professional practice. Teachers communicate effectively with families and involve them in student learning and the school community. Teachers contribute to school activities, promote school goals and improve professional practice by working collegially with all school staff. Teachers balance professional responsibilities and maintain motivation and commitment to all students.

Meets the Standard:

Needs Improvement:

Overall Evaluation meets the standard:

Needs Improvement:

Comments:

Goals for Next Year:

Signatures: _____

Date:
Date:

ATTACHMENT 26: DISCOVERY CHARTER SCHOOL PARENT AGREEMENT

Discovery Charter School Parent Agreement

As the parent(s)/guardian(s) of _____ (“Student”), I/we desire to have Student enrolled in the Discovery Charter School (“Discovery”). We recognize and agree that parent participation is important for the education of our children. We further recognize and agree that such participation is an integral component of Discovery’s educational philosophy and program and is necessary for the successful functioning of Discovery’s educational program.

In signing this Agreement, we agree to support the Discovery educational philosophy and program in the following ways:

1. To ensure that the developmentally-based small group learning environment of the Discovery program can be effectively implemented, we agree that we will participate in a regularly scheduled shift of up to two (2) hours per week per child (with a maximum of 6 hours per family). In the event of family needs such as pregnancy, family emergency, or illness, an accommodation may be negotiated with the Director.
2. To ensure that we will be effective partners as classroom aides and on yard duty we will attend the mandatory Positive Discipline class held at Discovery. This requirement is a one-time only training and is required for all new families.
3. To ensure that we will be effective partners in our child’s education at Discovery we understand that we are required to, and will, attend all Parent Academy sessions, including all classroom parent meetings (PA101, PA102).
4. To ensure that we will be effective partners in our child’s education at Discovery we will participate in Back to School Night and all parent conferences.
5. To ensure that we will be effective partners in our child’s education at Discovery, our family will participate in a minimum of four (4) Parent Education Meetings during each school year. This requirement may be satisfied by attending Parent Education meetings (including Positive Discipline classes) at Discovery or by attending other Parent Education events off-site, with approval of the Director.
6. To help ensure that our child’s school has an environment conducive to learning, we will participate in at least one Work Day per year. This Work Day may be one of the regularly scheduled workdays, or special projects may be assigned at the staff’s discretion.
7. To help take care of the many tasks that need to be done at our school and to allow the Discovery teachers more time to focus on teaching our children, we will serve in at least one classroom or school-wide support position in addition to the regularly scheduled work shift.
8. To help maintain a safe and healthy school environment, we will submit TB verification prior to participating.
9. To ensure a safe school environment for the children attending Discovery, we agree that prior to participation, each volunteer will submit to be fingerprinted and have a background check made by an agency authorized by the Discovery Board. Results of such background checks will, at the discretion of the Director, be a basis for determining the scope and terms of participation.
10. To provide a consistent learning environment, in the event that we are unable to work on our scheduled shift, we will arrange for a person on the approved Discovery volunteer list (with TB verification, fingerprints, and background check on file) to substitute for us. We will notify the teacher of any substitution.

11. To support our children in learning by taking part in field trips, we will participate in a minimum of three (3) field trips per year per child as a driver or chaperone. We agree that if we normally work on a day and time when a field trip is scheduled, we will be expected to drive or chaperone.
12. In order to respect the privacy of the students, parents, and staff, we agree to abide by the confidentiality policies of Discovery.

The Director of Discovery has the authority and responsibility for the administration of this Agreement, including how and when we participate in the classroom or in other forms of participation.

In the event of inappropriate conduct by any of us on campus or during a school-sponsored activity, the Director has discretion to make an alternative plan for any volunteer's participation.

I/We understand that the Parent Agreement is signed on behalf of all individuals volunteering on behalf of this student and I/we will communicate its content and expectations to all such volunteers.

I/We also understand that the Parent Agreement will be renewed annually to reflect ongoing commitment to our participation.

I/We, the parent(s)/guardian(s) of _____, have read and understood the Discovery Charter School Parent Agreement. We agree to comply with the terms of the Parent Agreement as set forth herein.

Signature of Parent/Guardian

Date

Signature of Parent/Guardian

Date

ATTACHMENT 27: PUBLIC RANDOM DRAWING POLICY

DISCOVERY CHARTER SCHOOL

Board Policy: BP120711.1

Approved: 11 July 2012

Title: Admissions Drawing to Determine School Placement

Applicability

This policy applies to all qualified applicants, as defined in the application packet, to Discovery Charter School (Discovery) during the Open Enrollment Period.

Policy Statements

1. If the number of students applying for any grade exceeds the expected capacity for that grade, an admissions drawing shall be conducted for the Open Enrollment Period applicants for the oversubscribed grades by an independent outside party to determine school placement. The date and location of the public random drawing will be posted on the Discovery website and in the school office.
2. The expected number of classes and class size for each grade will be specified by the Board and announced in advance.
3. Each family will be assigned a family number and each child in the family will be assigned a student number to create a child ID number. For example, the ID's for the children of Family 001 would be 001.1, 001.2, 001.3, and so on.
4. An "Applicant List" shall be prepared. Each applicant on the list will be assigned a Drawing ID in the following format:

Preference Group – Grade – Family# . Student# – Last name . First name

For example: A –K – 001.1 – Smith.John
B – 2 – 003.1 – Jones.Michael
C – 4 – 007.1 – Chavez.Emilio
D– 6 – 007.2 – Chavez.Maria

Detailed explanation of each Drawing ID element:

Preference Group

Enrollment preferences shall be given in the following order:

Year 1:

- F. Founding Families
- G. Children of paid Discovery staff

- H. ELL students of District
- I. Residents of District
- J. All other California residents

Year 2:

- G. Founding Families
- H. Siblings of currently enrolled students
- I. Children of paid Discovery staff
- J. ELL students of District
- K. Residents of District
- L. All other California residents

Grade

The grade this student is applying for. Options are: K, 1, 2, 3, 4, 5, and 6 in year one; K through 7 beginning in year two; K through 8 beginning in year three.

Family Number & Student Number

Family Number is a sequential number of the enrollment application, e.g. 001, 002, 003, etc. Student Number is a sequential number of the student on that enrollment application, e.g. 1, 2, 3, etc. For a family with three students applying the construct would therefore be:

001.1, 001.2, and 001.3

Family is defined as children and parent(s)/guardian(s) living at the same address.

Last Name & First Name

Student's last and first name, e.g. Smith.John.

5. The "Applicant List" will be certified by signatures of two Discovery Charter School Board Members. The original will be kept in the office and 5 copies will be separately mailed via US Mail to Discovery Charter School prior to the date of the public random drawing. The envelopes will remain sealed until such time as a dispute arises between a family included in the public random drawing and Discovery Charter School, or the school year ends.
6. A single drawing ticket will be created for each family. The ticket will include the Abbreviated Drawing ID for all students from that family in the following format:

Preference Group – Grade – Family# . Student#

Definitions of the Abbreviated Drawing ID elements are equivalent to the definitions of the Drawing ID elements and are listed in bullet 4.

7. Families will be informed of their Drawing ID(s) prior to the admissions drawing by email via the email address provided on the enrollment application. Families that do not have email access will be notified by US Mail.
8. Prior to commencement of the admission drawing, two Discovery Charter School Board Members shall verify that the Abbreviated Drawing ID(s) on the drawing tickets match the information on the certified “Applicant List”, and that there is a 1 to 1 correlation.
9. The tickets shall be sorted by admissions preference category.
10. The Board shall choose an independent outside party to draw the tickets.
11. The admissions drawing will be structured by preference category in the order specified in bullet 4 under the Preference Group heading.
12. For each admissions preference category, tickets shall be drawn randomly to determine placement on the relevant grade list. A number showing the order in which the ticket was drawn shall be written on the ticket.
13. As each ticket is drawn, the Abbreviated Drawing ID(s) of all children on the ticket shall be announced and sequentially added to the relevant grade list.
14. After the admissions drawing is complete, Discovery shall post the public random drawing results on the Discovery website and in the Discovery school office.
15. The public random drawing result list will be used to fill available grade level spaces. The remaining applicants on the public random drawing list will form the wait lists for each grade.
16. Families who receive offers of acceptance for available spaces in a given grade level will receive registration forms via U.S. Mail. If the completed registration forms are not returned to Discovery by the date required in the offer letter, the admission slot will be forfeited and offered to the top wait-listed student in that grade.
17. It is the parent/guardian’s responsibility to update their contact information with Discovery. Discovery shall not be responsible for failure to contact the parent/guardian of either accepted or wait-listed applicants due to expired contact information.
18. A student placed on a wait list will remain on the wait list until either:
 - The student is accepted into Discovery Charter School, or
 - The parent/guardian requests in writing that the student be removed from the wait list, or
 - The school year ends at which time wait-listed students are transferred into an appropriate preference category pursuant to the charter.
19. In the event a situation arises that is not covered by this policy, no more than three Discovery Charter School Board Members present at the public random drawing will determine the fairest method for resolution of the issue.

ATTACHMENT 28: ENROLLMENT AND ADMISSION PROCEDURES

Enrollment and Admission Procedures

There will be one common admission application for all Discovery Charter School sites.

The Application for Enrollment document will be available from the Discovery main office and downloadable from the website. Paper copies are available at each office site, and in selected foreign languages.

Each Application for Enrollment document will list every Discovery school site, requiring the family to mark the appropriate school check box to indicate the school in which the family desires to enroll their child/children.

A family may apply to more than one Discovery Charter School site.

The Application for Enrollment and accompanying documentation are to be mailed or delivered to the Discovery main office.

The main office will review and distribute qualified applications to the individual school site's administration to organize and hold individual school site lotteries.

A qualified application is one in which the Application for Enrollment, accompanying documentation, and qualifying meeting and tour, if required, have been completed.

The Application for Enrollment packets that are received during Discovery's Open Enrollment Period will qualify for the public random drawing.

Public random drawings will be held separately for each Discovery school site, and each drawing will be run according to the Public Random Drawing Policy set by the Discovery School Board.

No transfers in any Discovery School's initial year

In the initial year of a new Discovery II opening there will be no transfer offered to any family between sites. Should a family currently attending a Discovery Charter School wish to attend a new school in its first year of operation, then that family will be required to submit an Application for Enrollment as required for all new families.

Discovery Charter School will develop and adopt a transfer policy prior to the opening of the first Discovery II.

ATTACHMENT 29: DISCOVERY CHARTER SCHOOL MARKETING AND COMMUNITY OUTREACH PLAN

Marketing Plan

Introduction

Discovery Charter School is based on developmentally appropriate teaching methods that successfully integrate the whole child with respect to individual learning styles, developmental readiness, and rates of achievement.

Multi-age classrooms, small class sizes, team teaching, a high level of parent participation, and community involvement greatly contribute to developing Discovery Charter School into a world class learning community.

This school has built an educational environment where developing student achievement, building innovative programs, and engaging families and communities provide a common vision for lifelong learning and student success.

Discovery's innovative programs are designed to accommodate the diverse needs of all students, including those who are historically underachieving or academically disadvantaged, to challenge and engage students to master state academic content, and to meet or exceed state achievement standards.

Executive Summary

Discovery Charter School services grades K-8, and already has a proven program with an API ranking of 900+ in the first two years of operation. The school succeeds for various reasons. Many parents feel that there are not enough choices in education. There is a strong feeling in the surrounding community that an alternative a public school offering, (independent of neighborhood designation and responsive to family needs) is just what is needed. (*Reference: Seven Characteristics Present in Most Good Schools*) Discovery offers an alternative to the cookie-cutter approach of the traditional public school system. With the current shape of the State's economy many parents have indicated that, why they do not like the public school offerings, they cannot afford private school; therefore, Discovery Charter School is a strong choice. Discovery offers the price of public school with a private school type education: the combination of the best of two worlds. (*Reference: School Of Choice Benchmarks*)

In our research we have also found that while many parents are often comfortable enrolling their younger children in their neighborhood elementary school, they become nervous about their local middle school and start researching alternatives. We believe, and research supports, that early adolescence represents a critical transition in children's lives, and these young people ages 11-14, need a learning environment specially designed to meet the challenges and potential of the middle years. Adolescence is one of the exciting periods of intellectual, physical, social, and emotional development in the human life span. We feel traditional middle school models do not adequately address these challenges.

The State of California revenues provide for bare bones necessities at the public schools, therefore enrichment programs are either cut or scaled back. While parents wish to have their children do well academically, they also wish for their children to be exposed to a variety of enrichments that these days most public schools just don't have. The parent participation model and pledge drive support from the Discovery families enables the

program to offer a wide range of enrichments that are integrated for a maximum learning experience. So while parents may first be interested in Discovery for the API scores, many parents are then interested in the variety of enrichments and other offerings for their children. (*Reference: What Parents want in a School - Characteristics*)

Finally some families are looking for more than just a school. They are searching for a community of teachers, students, and parents that can support each individual child or a family in need. They wish to have input into policies and programs, to be part of something of value – to be heard.

Discovery is a Santa Clara County Charter school located within the boundaries of the Moreland School District. Discovery concentrates their marketing efforts within an 8-10 mile radius. However, word of mouth concerning the program gets around. Currently Discovery families come from as far south as Morgan Hill, and as far north as Los Altos and Milpitas. The school's history shows that if the program is right for the child and right for the family –they will come.

Marketing Discovery as a School of Choice

It is extremely important to market Discovery. If public education is to survive and continue, it is necessary to have the support of the public, and Discovery is no exception. It is essential to communicate with the surrounding community. Communication leads to understanding. The questions one should ask concerning Discovery are:

1. If choice became a reality would Discovery be my school of choice?
2. Would I send my child, grandchild, niece/nephew to Discovery?
3. Is Discovery's teaching team equal to or better than the competition?
4. Are Discovery's "customers" satisfied?

If we at any time answer "no" then we need to make sure to take a look at the issue and make it better. Those individuals marketing for Discovery need to understand that the effort is not a one-time event. Commitment must be made in terms of people and finances. Everyone must understand that planning and marketing is an evolutionary process (but something visible needs to happen). Our organization must be flexible to adapt to changing environmental conditions, and Discovery must be customer-oriented.

To market we must:

1. Continue to stay focused on continuous improvement.
2. Be proactive to events, misinformation, and unfair attacks.
3. Share our successes as well as our challenges openly and honestly.
4. Work hard to create understanding.
5. Build Support for Discovery

Discovery Vision

To provide a strong public educational choice helping students to fulfill their potential through a student, parent, and teacher partnership.

Discovery Mission

Through strong family involvement, community learning, and developmentally based teaching Discovery Charter School will support the whole child and develop lifelong learners prepared to meet the challenges of the future.

Discovery Goals and Objectives

We are committed to:

- Building an educational environment where developing, building, and engaging families and communities will provide a common vision for lifelong learning and student success;
- Respecting the cognitive, emotional, social, and physical development of each child;
- Partnering staff, students, parents, and community to create a unique, challenging, and individualized learning environment with high academic standards and expectations;
- Building programs that foster thinking which is original, critical, collaborative, and reflective; and
- Developing students who are self-motivated, self-disciplined, and socially responsible.

Marketing Goals/Objectives (External)

- Increase awareness throughout the surrounding school areas that Discovery is a strong educational choice for families
- Market to diverse ethnic groups in surrounding areas
- Recognize why parents choose a school and market to those characteristics
- Be strategically proactive
- Continually look for marketing opportunities with media and strategic partners, as well as other organizations to increase exposure
- Advertise to build awareness and recruit those who may be interested in the program
- Seek, build, and maintain strategic partnerships
- Build a positive image
- Be consistent with branding, image, and messaging

Marketing Values

- Recognize and truly believe that our students and their parents are our *customers*; Customer service is at the core of how we run our school, and how the community perceives Discovery
- Welcome all families
- Motivate employees to be dedicated champions for our students; employees must live the concepts of excellence of service
- Take our school message “on the road” – reach out to everyone in the community
- Parents and “word of mouth” communication is important
- Professional and polite office staff
- Take stock of changes in Education Markets

Marketing Strategies

- Maintain a professional marketing website
- Optimize search engine, directories, educational websites, etc. to enhance Discovery’s exposure
- Create marketing materials such as flyers, postcards, newsletters, etc as needed to identified target markets
- Sponsor, produce, attend, or participate in community functions, fairs, and events
- Maintain contact with press, radio, and television for opportunities to optimize and/or leverage marketing opportunities
- Arrange open houses, tours, and exposure into school community
- Public Relations – press releases, promote press/article opportunities with local media
- Build business, government, and educational partnerships
- Promote “word of mouth” community recommendations

Marketing Objectives

The main objective for Discovery marketing is to build/maintain a positive image for the school and its program. This in turn will promote a general interest for families to seek information concerning Discovery, and in turn offer an education choice that may or may not be right for a family.

- Increase number of inquiries concerning program
- Increase number of people attending Tours and Information Nights
- Fill all class levels and openings available
- Build waitlists
- Grow school and opportunities for the students and families

Research

What Parents Want in a School - Characteristics *

- Academically solid, but not so rigorous as to intimidate their children
- Accredited
- Competitive in academic test scores
- Recognized for excellence
- Above –average expenditures on pupil instruction
- Above –average teacher salaries
- Above average library & media services
- Small class size
- High expectations of students
- Results-oriented
- Special programs to meet students' needs
- Good curriculum for their students
- Open, warm atmosphere
- Accessible staff
- Positive communication
- Academic & athletic achievement
- Involved parents
- Safe Neighborhood
- Location convenient for parents
- Alumni speak well about the school

** SchoolMatch Research Survey*

Seven Characteristics Present in most Good Schools*

- Responsiveness
- Flexibility
- Two-way Communication
- Shared Decision-making
- Accountability
- Adequate Resources
- Individual Recognition

** National School Public Relations Association Research*

School of Choice Benchmarks*

- High expectations for all students
- Realtors sell the most homes for parents to locate nearby
- Businesses decide to locate and the tax base increases
- Bureaucracy is minimal and decision-making is local and flexible
- Accountability is communicated
- Access to staff is easy
- Communication is responsive and two-way
- Community and parent involvement is the norm
- Recognition for both adults and children is a priority
- Alumni programs flourish
- Parents want their children to go to the school
- Students want to go to the school
- Teachers want to teach at the school

* National School Public Relations Association Research

Community Outreach Plan

OBJECTIVE

Discovery is committed to recruiting and maintaining a diverse student population. Such diversity will afford our students a richer educational experience while promoting our core values of respect and community. A broad spectrum of backgrounds, cultures, and perspectives is essential to creating a school where creative thinking is valued and nurtured. It is our intention to establish a racial and ethnic balance amongst our students which is reflective of the student populations within the various School Districts of Santa Clara County.

COUNTY STATISTICS AND EXPECTED ENROLLMENT

Discovery plans to open with grades K-6 in fall 2013. Expected enrollment is 382 students, based on 22 students per class K-3, and 27 students per class 4-6. For 2014-2015, two classes of 7th grade will be added, raising total enrollment to 436; for 2015-2016 two classes of 8th grade will be added bringing enrollment to 490. Discovery will strive to achieve a student population statistically similar to the enrolled student population in Santa Clara County as established below. All students will be considered for admission in accordance with California Education code 47605(d) and without regard to ethnicity, national origin, gender, or disability.

Data obtained from the California Department of Education indicates the following student enrollment demographics for Santa Clara County:

African American not Hispanic	7,190 (2.7%)
American Indian or Alaska Native	1,060(0.4%)
Asian	71,170 (26.7 %)
Filipino	12,330 (4.6)
Hispanic or Latino	101,625 (38.2%)
Pacific Islander	1,758 (.7%)
White not Hispanic	61,603 (23.1%)
Two or More Races	5,331 (2.0%)
Total Enrollment	266,256

GENERAL PLAN

The Discovery Founders have established relationships with various community groups such as PACT, AACI, and Project Cornerstone, representing the Hispanic/Latino, Asian, communities and youth advocacy. We will identify opportunities to present information to parents of prospective students who might benefit from attending Discovery. These opportunities might include meetings, events, or special presentations. By aligning ourselves with community organizations, we can reach out continuously and pro-actively as we open additional schools. As our enrollment demographics become evident, we can focus outreach as needed by utilizing those established relationships.

The Discovery founders are also actively seeking opportunities to present information in various languages to libraries, community centers, businesses, and churches. Information meeting events will be conducted prior to enrollment in spring 2013. Translated materials and language support will be available to all attendees.

Additional outreach measures will include, but are not limited to:

- Distribution of promotional flyers in various languages
- Attendance and participation in local cultural events, with information tables and promotional materials staffed by speakers of various languages
- Advertising and/or press releases in local and community newspapers, both in English and other languages
- Visits to pre schools, community centers, religious organizations, community organizing groups, neighborhood association meetings, and social groups to promote Discovery

TIME LINE

Plan Task	Date	Responsibility
Develop Promotional Materials/ Flyers	7/27/2012	Communications Task Force
Distribute /Post Flyers and Promotional Materials	Ongoing basis, weekly until enrollment is complete	Communications Task Force
Live web site deployment with Spanish Language Pages	9/15/2012	Communications Task Force
Discovery Charter School Information Meetings	Post charter approval, minimum of two, winter and early Spring 2012- 2013	Discovery Superintendent/Executive Director and Board
Participation in Community Center events, Information Table (Information in various languages)	Post charter approval, late summer and fall 2012, spring 2013	Communications Task Force
Spanish Language Parent Education /Positive Discipline Classes	Post enrollment, Summer 2013	Parent Education Task Force
Press, Media releases in Spanish and English updating School Progress	Post charter approval, Summer 2012 – Enrollment 2013.	Communications Task Force
Community Information/Presentation (Spanish and English)	Post charter approval, various public libraries, Fall 2012 thru enrollment 2013	Communications Task Force
Community Meetings, site area	Post Charter Approval and Site selection, Spring 2012	Communications Task Force
Establish a child care co-op for parents of enrolled students, so that parent can fulfill participation requirements	Post Enrollment 2013	Discovery Superintendent/Executive Director and Board

ATTACHMENT 30: PUPIL SUSPENSION AND EXPULSION PROCEDURES

Pupil Suspension and Expulsion Policy and Procedure

BOARD POLICY #BP081512.1

Governing Law: 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 Discovery Charter Schools (“School” or “Charter School”). In creating this policy, the Charter School has reviewed Education Code Section 48900 *et seq.* which describes the non-charter schools’ list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* The Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the Charter School’s policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements.

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

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.

The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that these Policy and Administrative Procedures are available on request at the Superintendent/Executive Director’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, the IDEA, and all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the 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. The Charter School shall notify the District of the suspension of any student identified under the IDEA (or for whom there may be a basis of knowledge of the same) or as a student with a disability under Section 504 and work with the District to ensure that all applicable laws related to discipline for students with be provided with the procedural protections as outlined below in this policy.

A. Grounds for Suspension and Expulsion of Students

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

B. Enumerated Offenses

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

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force of violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage, or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property.
- g) Stole or attempted to steal school property or private property.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.

- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
- l) Knowingly received stolen school property or private property.
- m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- o) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
- r) Made terrorist threats against school officials and/or school property. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
- s) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

- t) Caused, attempted to cause, threatened to cause, or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Intentionally harassed, threatened, or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- v) Engaged in an act of bullying, including but not limited to, bullying committed by means of an electronic act (defined as the transmission of a communication, including but not limited to, a message, text, sound, or image, or a post on a social network Internet Web site, by means of an electronic device, including but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager) directed specifically toward a pupil or school personnel. "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 1. Placing a reasonable student (defined as a student, including but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 2. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 3. Causing a reasonable student to experience substantial interference with his or her academic performance.
 4. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- w) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
- x) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Superintendent/Executive Director or designee's concurrence.

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

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

3. Discretionary Expellable Offenses: Students may be expelled for any of the following acts when it is determined the pupil:

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force of violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage, or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property.
- g) Stole or attempted to steal school property or private property.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
- l) Knowingly received stolen school property or private property.
- m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

- n) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- o) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
- r) Made terrorist threats against school officials and/or school property. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
- s) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Caused, attempted to cause, threaten to cause, or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Intentionally harassed, threatened, or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- v) Engaged in an act of bullying, including but not limited to, bullying committed by means of an electronic act (defined as the transmission of a communication, including but not limited to, a message, text, sound, or image, or a post on a social network Internet Web site, by means of an

electronic device, including but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager) directed specifically toward a pupil or school personnel. “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

1. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.
 2. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 3. Causing a reasonable student to experience substantial interference with his or her academic performance.
 4. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- w) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
- x) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Superintendent/Executive Director or designee’s concurrence.

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

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

If it is determined by the Board of Directors that a student has brought a fire arm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994.

The term “firearm” means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon;

(C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

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

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Director or designee with the student and his or her parent and, whenever practical, the teacher, supervisor or school employee who referred the student to the Director. The conference may be omitted if the Director 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, the Director or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If 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 Placement/Expulsion

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

Upon a recommendation of Placement/Expulsion by the Superintendent/Executive Director or designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination will be made by the Superintendent/Executive Director or designee 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.

D. Authority to Expel

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

E. Expulsion Procedures

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

In the event an administrative panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session 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 a non-attorney advisor;
6. The right to inspect and obtain copies of all documents to be used at the hearing;
7. The opportunity to confront and question all witnesses who testify at the hearing;
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

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

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the person or panel conducting the hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The person conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The person conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the person presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The person conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, the School must present evidence that the witness' presence is both desired by the witness and will be helpful to the School. The person presiding over the hearing shall permit the witness to stay unless it is established that

there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.

8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

G. Record of Hearing

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

H. Presentation of Evidence

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

Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay and sworn declarations may be admitted as testimony from witnesses of whom the 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 written findings of fact and a written recommendation to the Board who will make a final determination regarding the expulsion. The final decision by the Board shall be made within ten (10) school days following the conclusion of the hearing. The Decision of the Board is final.

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

I. Written Notice to Expel

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

1. Notice of the specific offense committed by the student;
2. 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/Executive Director or designee shall send a copy of the written notice of the decision to expel to the District.

This notice shall include the following:

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

Additionally, in accordance with Education Code Section 47605(d)(3), upon expulsion of any student, the Charter School shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information.

J. Disciplinary Records

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

K. No Right to Appeal

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

L. Expelled Pupils/Alternative Education

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.

M. Rehabilitation Plans

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

N. Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the Board following a meeting with the Superintendent/Executive Director 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/Executive Director shall make a recommendation to the 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.

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

1. Notification of District

The Charter School shall immediately notify the District and coordinate the procedures in this policy with the District for the discipline of any student with a disability or student who the Charter School or SELPA would be deemed to have knowledge that the student had a disability who is suspended for more than ten (10) school days during a school year.

2. Services During Suspension

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP/504 Plan; 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.

3. Procedural Safeguards/Manifestation Determination

Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student

conduct, the Charter School, the parent, and relevant members of the IEP Team shall review all relevant information in the student's file, including the child'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/504 Plan.

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

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

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

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

4. Due Process Appeals

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

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or the Charter school, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer 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 the Charter School agree otherwise.

5. Special Circumstances

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

The Superintendent/Executive Director 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.

6. Interim Alternative Educational Setting

The student's interim alternative educational setting shall be determined by the student's IEP/504 Team.

7. Procedures for Students Not Yet Eligible for Special Education Services

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

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

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

If the Charter School knew or should have known the student had a disability under any of the three (3) circumstances described above, the student may assert any of the

protections available to IDEIA-eligible children with disabilities, including the right to stay-put.

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

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

Adopted: August 15, 2012

ATTACHMENT 31: IMPACT ON THE CHARTER AUTHORIZER

This statement is intended to fulfill the terms of Education Code Section 47605(g) and provides information regarding Discovery Charter School's operation in and potential effects on the County. This document is intended for informational purposes only and to assist the County in understanding how the Charter School may affect the County. This, as an informational document, does not constitute a legally binding contract or agreement, is not intended to govern the relationship of Discovery and the County, and is not a part of the charter of the Charter School or any related agreements or memoranda of understanding.

A. Estimated Number of Students

We estimate the Charter School to open with 382 students. At full grade K-8th build out, we estimate the Charter School will have approximately 490 students.

B. Support Services

The Charter School's Director will assume the lead responsibility for administering the Charter School under the policies adopted by the Discovery Charter School Board of Directors. Discovery Charter Schools will provide or procure its own administrative services, including, but not limited to, financial management, legal, and personnel. As appropriate, Discovery Charter Schools may request to procure services for a fee from the county.

C. Process and Policies Between the School and the County

In accordance with Education Code Section 47613, the County may charge for the actual costs of supervisory oversight not to exceed 1 percent of the revenue of the charter school to be increased to 3 percent of the revenue of the charter school if the charter school is able to obtain substantially rent free facilities from the chartering agency. "Revenue" is defined in accordance with Education Code Section 47613(f) as the general purpose entitlement and categorical block grant, as defined in Education Code Section 47632(a) and (b).

"Supervisory oversight," as used in Education Code Section 47613 and Education Code Section 47604.32, shall include the following:

- All activities related to the Charter revocation and renewal and processes as described in Section 47607;

- Activities relating to monitoring the performance and compliance of the Charter School with respect to the terms of its Charter, related agreements, and all applicable laws;

- Participating in the dispute resolution process described in the Charter;

- Review and timely response to the Charter School's Annual Independent Fiscal and Performance Audit;

- Identify at least one Staff member as a contact person for the Charter School;

- Visit the Charter School at least annually;

Monitor the fiscal condition of the Charter School; and

Provide timely notification to the California Department of Education if any of the following circumstances occur:

A renewal of the charter is granted or denied;

The charter is revoked; or

The Charter School will cease operation for any reason.

D. Charter Replication

The Charter School's charter replication is requested for five years. During that period, the Charter School is responsible for demonstrating progress and meeting the goals of the Charter. Discovery may present a petition to renew or amend the Charter at any time and the County agrees to respond to such petitions pursuant to the process and timelines specified in Education Code Section 47605 and Education Code Section 47607 or its successors. Each Charter renewal shall be for a period of five years or longer as allowed by law. The progress and accomplishments of the Charter School shall be measured according to the criteria specified in the sections of the California Education Code on school performance.

E. Facilities

Discovery Charter School has submitted a request for Prop 39 facilities to the San Jose Unified School District for this new school under the terms of California Proposition 39 and its implementing regulations. Discovery Charter School reserves the right to find alternative facilities, and will inform the district of changes in its facility plans.

F. Civil Liability

The Charter School shall be operated as a California non-profit public benefit corporation, Discovery Charter School. Discovery 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. The central objective of the corporation is to provide public education for residents of the State of California, in accordance with the Charter Schools Act, California Education Code Section 47600, et seq.

As such, in accordance with Education Code Section 47604(c), if the County complies with all oversight responsibilities required by law, the County shall not be liable for the debts or obligations of the Charter School or for claims arising from the performance of acts, errors, or omissions by the Charter School. Further, the Charter School and the County shall enter into a Memorandum of Understanding (MOU), which shall provide for indemnification of the County.

ATTACHMENT 32: DISCOVERY CHARTER SCHOOL MULTI-YEAR FINANCIAL PROJECTIONS

**Discovery Charter School Budget Narrative
Projections for 2013/14 through 2015/16**

The attached budget and cash flow projections are based on conservative estimates of the costs to operate Discovery Charter Schools.

Discovery - New Charter

Multiyear Budget Summary
As of most recent monthly close

	2012/13	2013/14	2013/14	2013/14	2014/15	2015/16
	Startup Budget	Year 1 Budget	Total Budget (Including Startup)	Notes	Preliminary Budget	Preliminary Budget
SUMMARY						
Revenue						
General Block Grant	-	1,759,016	1,759,016		2,072,523	2,403,994
Federal Revenue	175,000	100,000	275,000		100,000	-
Other State Revenues	-	507,250	507,250		593,731	677,230
Local Revenues	-	-	-		-	-
Fundraising and Grants	-	231,110	231,110		263,780	296,450
Total Revenue	175,000	2,597,376	2,772,376		3,030,034	3,377,674
Expenses						
Compensation and Benefits	-	1,394,009	1,394,009		1,597,688	1,810,142
Books and Supplies	140,000	237,640	377,640		357,606	359,197
Services and Other Operating Expenditures	10,000	853,196	863,196		977,357	1,103,959
Capital Outlay	-	87,500	87,500		-	-
Total Expenses	150,000	2,572,345	2,722,345		2,932,650	3,273,298
Operating Income (excluding Depreciation)	25,000	25,031	50,031		97,384	104,375
<i>Operating Income (including Depreciation)</i>	25,000	95,031	120,031		79,884	86,875
Fund Balance						
Beginning Balance		-	-		120,031	199,915

(Unaudited) Audit Adjustment					
Beginning Balance (Audited)		-	-	-	-
Operating Income (including Depreciation)	25,000	95,031	120,031	79,884	86,875
Ending Fund Balance (including Depreciation)	25,000	95,031	120,031	199,915	286,790
Recommended Reserve (5%)			136,117	146,632	163,665

Detail

Enrollment Breakdown

K	55	55	-	55	55
1	55	55	-	55	55
2	55	55	-	55	55
3	55	55	-	55	55
4	54	54	-	54	54
5	54	54	-	54	54
6	54	54	-	54	54
7	-	-	-	54	54
8	-	-	-	-	54
Enrollment Summary	-	-	-	-	-
K-3	220	220	-	220	220
4-6	162	162	-	162	162
7-8	-	-	-	54	108
Total Enrolled	382	382	-	436	490

**ADA
%**

K-3	95.7%	95.7%		95.7%	95.7%
4-6	95.7%	95.7%		95.7%	95.7%
7-8	95.7%	95.7%		95.7%	95.7%
Average	95.7%	95.7%		95.7%	95.7%

ADA

K-3	210.5	210.5	-	210.5	210.5
4-6	155.0	155.0	-	155.0	155.0
7-8			-		

7-8		0.0	0.0	-	51.7	103.4
		365.6	365.6	-	417.3	468.9
Total ADA				-		

General Block Grant

8015	Charter Schools General Purpose Entitlement - State Aid	-	1,300,586	1,300,586	Rates provided by SSC May Revise incl \$455/ADA cut	1,549,289	1,815,955
8019	State Aid - Prior Years	-	-	-	-	-	-
8096	Charter Schools in Lieu of Prop. Taxes (was 8780)	-	458,430	458,430	Rates provided by SSC May Revise incl \$455/ADA cut	523,234	588,038
		-	1,759,016	1,759,016	-	2,072,523	2,403,994

8100 Federal Revenue

8298	Implementation Grant	175,000	100,000	275,000	-	100,000	-
	SUBTOTAL - Federal Income	175,000	100,000	275,000	-	100,000	-

8300 Other State Revenues

8382	Special Education Reimbursement (State)	-	245,626	245,626	\$643/student (based on SCCOE funding in 11/12)	288,758	324,522
8560	State Lottery Revenue	-	53,008	53,008	\$145 per ADA per SSC	62,171	71,746
8592	Categorical Block Grant	-	144,267	144,267	\$395 per ADA per SSC; includes a proration factor of 0.77	169,154	195,516
0	Educationally Disadvantaged Block Grant	-	17,921	17,921	\$334 per ADA per SSC; includes a proration factor of 394.63	-	-
8593	New School Categorical				\$127 per		

		-	46,428	46,428	ADA Total	54,581	63,181
	SUBTOTAL - Other State Income	-	507,250	507,250	-	593,731	677,230
8800	Donations/Fundraising						
8801	Fund Drive (Donations - Parents)	-	231,110	231,110	\$605/student	263,780	296,450
	SUBTOTAL - Fundraising and Grants	-	231,110	231,110	-	263,780	296,450
TOTAL REVENUE							
		175,000	2,597,376	2,772,376	-	3,030,034	3,377,674
EXPENSES							
Compensation & Benefits							
					Salaries increase 3%/year		
1000	Certificated Salaries						
1100	Teachers Salaries	-	960,000	960,000	16 FTE; ave salary 60k; add 2 teachers/year	1,112,400	1,273,772
1300	Certificated Supervisor & Administrator Salaries	-	100,000	100,000	1 FTE Principal	103,000	106,090
	SUBTOTAL - Certificated Employees	-	1,060,000	1,060,000	-	1,215,400	1,379,862
2000	Classified Salaries						
2400	Classified Clerical & Office Salaries	-	80,000	80,000	2 FTE; 30k Clerk + 50k Office Manager	82,400	84,872
	SUBTOTAL - Classified Employees	-	80,000	80,000	-	82,400	84,872
3000	Employee Benefits						
3101	State Teachers Retirement System, certificated positions	-	87,450	87,450	8.25% of certificated payroll	100,271	113,839
3301	OASDI/Alternative, certificated positions	-	15,489	15,489	-	17,756	20,155
3302	OASDI/Alternative, classified positions	-	6,134	6,134	-	6,318	6,507
3401	Health & Welfare Benefits - Certificated Positions	-	96,000	96,000	\$6000 per FTE per year. Growing at 9% per year.	124,260	149,701

3402	Health and Welfare Benefits - Classified Positions	-	12,000	12,000	\$6000 per FTE per year. Growing at 9% per year.	13,080	14,257
3501	State Unemploy. Insurance - Certificated Positions	-	8,568	8,568	3.60% per first ~\$7K of pay per person	6,300	5,292
3502	State Unemploy. Insurance - Classified Positions	-	1,008	1,008	3.60% per first ~\$7K of pay per person	756	504
3601	Worker's Comp Insurance - Certificated Positions	-	25,440	25,440	2.40% of payroll, per insurance quote for similarly sized school	29,170	33,117
3602	Worker's Comp Insurance - Classified Positions	-	1,920	1,920	2.40% of payroll, per insurance quote for similarly sized school	1,978	2,037
SUBTOTAL - Employee Benefits		-	254,009	254,009	-	299,888	345,408

4000	Books & Supplies						
4100	Approved Textbooks & Core Curricula Materials	70,000	44,600	114,600	\$300 per Student	134,724	155,952
4200	Books & Other Reference Materials	-	28,650	28,650	\$75 per New Student	4,172	4,297
4300	Materials & Supplies	70,000	57,970	127,970	\$335 per Student	150,442	122,500
4330	Office Supplies	-	7,640	7,640	\$20 per Student	8,982	10,397
4352	Manipulatives and Kits (Activity 1)	-	19,100	19,100	\$50 per Student	22,454	25,992
4410	Classroom Furniture, Equipment & Supplies	-	53,480	53,480	\$140 per New Student	7,787	8,020
4420	Computers (individual items less than \$5k)	-	16,000	16,000	\$1000 per Teacher	18,540	21,218
4430	Non Classroom Related Furniture, Equipment & Supplies	-	7,200	7,200		7,416	7,638
4720	Other Food	-	3,000	3,000		3,090	3,183
SUBTOTAL - Books and Supplies		140,000	237,640	377,640	-	357,606	359,197

5000	Services & Other Operating Expenses						
5200	Travel & Conferences	-	12,000	12,000	\$750 per Teacher	13,905	15,914
5300	Dues & Memberships	-	2,000	2,000		2,060	2,122
5450	Insurance - Other	-	22,920	22,920	\$60 per student based on current CCSA JPA rates	26,945	31,190
5515	Janitorial, Gardening Services & Supplies	-	41,280	41,280	\$215/room/month	42,518	43,794
5520	Security	-	4,000	4,000	Security equipment	-	-
5535	Utilities - All Utilities	-	50,351	50,351	Based on \$75k for current campus	57,469	64,587
5610	Rent	-	106,960	106,960	\$4 sq ft X 70 ft/student X enrollment (Prop 39 facility)	122,080	137,200
5615	Repairs and Maintenance - Building	-	3,000	3,000		3,090	3,183
5617	Repairs and Maintenance - Other Equipment	-	2,500	2,500	Copier	2,575	2,652
5803	Accounting Fees	-	8,750	8,750	Audit and 990 preparation	9,013	9,283
5809	Banking Fees	-	120	120	\$10 per Monthly Rate	124	127
5812	Business Services	-	104,532	104,532	For back office services including A/P, accounting, payroll, attendance reporting, and financial reporting support	122,375	137,835
5824	County Oversight Fees	-	19,212	19,212	1.0% of General & Categorical Block Grants	22,607	26,218
5836	Fingerprinting	-	760	760	\$40 per FTE	865	976
5843	Interest - Loans Less than 1 Year	-	4,000	4,000	Cash flow financing	2,000	2,000

5845	Legal Fees	5,000	5,000	10,000		5,150	5,305
5851	Marketing and Student Recruiting	-	5,000	5,000	Student outreach and recruiting	5,150	5,305
5857	Payroll Fees	-	1,560	1,560	\$130 per Monthly Rate	1,607	1,655
5863	Professional Development	-	24,000	24,000	\$1500 per Teacher	27,810	31,827
5869	Special Education Contract Instructors	-	401,100	401,100	\$1050 per Student Job posting, etc	471,534	545,833
5875	Staff Recruiting	-	750	750	\$15 per Student	773	796
5881	Student Information System	5,000	5,730	10,730	\$150 daily rate; 3.0% teacher absence rate	7,848	9,085
5884	Substitutes	-	12,960	12,960		14,580	16,200
5899	Miscellaneous Operating Expenses	-	5,000	5,000		5,000	-
5900	Communications	-	1,800	1,800	\$150 per Monthly Rate	1,854	1,910
5915	Postage and Delivery	-	1,910	1,910	\$5 per Student	2,245	2,599
5920	Communications - Telephone & Fax	-	6,000	6,000	\$500 per Monthly Rate	6,180	6,365
SUBTOTAL - Services & Other Operating Exp.		10,000	853,196	863,196	-	977,357	1,103,959
6000	Capital Outlay						
6100	Sites & Improvement of Sites	-	75,000	75,000	Site work for facility	-	-
6400	Equipment	-	12,500	12,500	Copier	-	-
SUBTOTAL - Capital Outlay		-	87,500	87,500	-	-	-
TOTAL EXPENSES		150,000	2,572,345	2,722,345	-	2,932,650	3,273,298
6900	Total Depreciation (includes Prior Years)	-	17,500	17,500	-	17,500	17,500
TOTAL EXPENSES including Depreciation		150,000	2,502,345	2,652,345	-	2,950,150	3,290,798

ATTACHMENT 33: KINDERGARTEN READINESS ACT OF 2010

Kindergarten Readiness Act of 2010 (Transitional Kindergarten)

BOARD POLICY #BP081512.2

Background: In 2010 the California Legislature passed the Kindergarten Readiness Act, which has become commonly known as “Transitional Kindergarten” or “TK.”

Over a three-year period from the 2011-12 school year to the 2013-14 school year the cut-off birth date for Kindergarten eligibility is being moved from December 1 to September 1, but students with birth dates between September 1 and December 1 will be eligible for voluntary enrollment in Transitional Kindergarten classes to prepare them for Kindergarten the following year.

Policy:

For the 2012-13 school year students enrolled in Discovery who have a birth date between November 2 and December 2, 2007 will be eligible for Transitional Kindergarten or “TK”, which will be held in one of our Kindergarten / 1st grade classrooms. TK students will receive an individualized curriculum with goals specific to their developmental level, but in every other way will be part of the K1 class, participating as a regular Kindergarten student. Parents and the child’s teacher will decide together whether or not the child should move to Kindergarten or 1st grade for the following school year. This decision will be made prior to the lottery date for the following year (usually around the first week in April). If there is a disagreement between the parents and the teacher regarding the following year’s grade level placement, the teacher will have the right to make the final decision.

Contingent upon the approval and opening of the second Discovery school, starting with the 2013-14 school year, Discovery will offer one Transitional Kindergarten class for students with birth dates between September 2 and December 2, 2008. This class will be housed at the new Discovery campus, or “Discovery Two.” A separate lottery will be held for these students.

Minimum enrollment for the Transitional Kindergarten class will be 11 students. Maximum enrollment will be 22 students. If enrollment falls between 22 and 33 students, then the Executive Director may create an “AM/PM” program with split enrollment and a short amount of combined time with all students so that each student receives a minimum of 200 instructional minutes per day.

If there are fewer than 11 applicants for Transitional Kindergarten in any year of the program, the students will be included in the regular Kindergarten lottery for that year and enrolled students will be placed in one of our regular Kindergarten or K/1 classrooms.

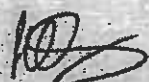
Students enrolled in a TK class will be automatically enrolled in Kindergarten for the following year at the Discovery campus selected by the parents, with the Executive Director’s approval. The Executive Director shall have the right to determine which Discovery campus the child attends, but will try to accommodate the parents’ request. If parents disagree with a school placement decision they may appeal to the Discovery Board of Directors.

Approved: October 17, 2012

Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.



Los peticionarios que firman abajo, certifican que (1) son padres de familia o guardianes con un interés auténtico en que su(s) hijo(s) o protegido(s) atiendan la escuela Discovery Charter School II y (2) han leído (o se les ha leído) un resumen de la petición que describe adecuadamente y apropiadamente el programa de educación de la escuela Discovery Charter School II y (3) entienden que el documento está disponible en <http://www.discoverytwo.org/> y en la oficina de la escuela Discovery Charter School, 4021 Teale Avenue, San José, CA 95117. Por lo tanto, los peticionarios afirman que el estatuto adjunto merece consideración y piden a la Junta Directiva Escolar del Distrito Escolar Unificado de San Jose que lo apruebe según lo establece la Ley Educativa 47605.6. para permitir la creación de la escuela Discovery Charter School II. Los peticionarios autorizan al Equipo Fundador de dicha escuela a negociar las enmiendas de la petición adjunta y hacer lo necesario para asegurar su aprobación por parte de la Junta Escolar del Distrito Escolar Unificado de San Jose. La página de firmas estará adjunta a la petición en el momento de firmar.

	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Ruby Siero-Tanti		655 Sobrato Ct Campbell, Ca 95008	408- 871- 7348	6	Campbell	12-7-12
2							
3							
4							
5							
6							

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

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	NAME <i>Nombre</i>	SIGNATURE <i>Firma</i>	ADDRESS <i>Dirección</i>	PHONE NUMBER <i>número de teléfono</i>	STUDENT GRADE IN 2013-2014 SCHOOL YEAR <i>Grado del estudiante</i>	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE <i>Fecha</i>
1	Pylan Galiotto		870 Clarkston Dr	408-677-7202	5th	SJSUP	12/7/12
2	Aldrey Galiotto		870 Clarkston Dr	408-677-7202	3rd	SJSUP	12/7/12
3							
4							
5							
6							

Petición para crear la Escuela Discovery Charter School II

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NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
IRENE		978 ZARICK DRIVE SAN JOSE, CA 95129	(408) 764 6242	2nd	MORELAND	12-05-12
Natalie Plecove		1751 Cleveland Ave San Jose, CA 95126	(408) 977-1057	5th	San Jose - Trace	12-5-12
Ivy Chesser		4588 MOSSBROOK CIR SAN JOSE CA 95130	408- 364-1235	K1	Moreland	12-6-12
Ivy Chesser		4588 MOSSBROOK CIR SAN JOSE CA 95130	408 364-1235	3rd	Moreland	12-6-12
Christina Kretke		5104 Westmont Ave #3 SJ CA 95130	831-345-1006	Kindergarten	Campbell	12-6-12
Gina DAMICO		416 Manchester AVE Campbell, CA 95008	408-626-9288	Kindergarten	Campbell	12-6-12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II

Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

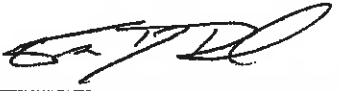


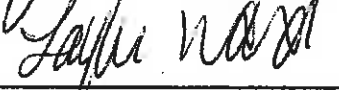


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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Rosa Arcejo	R Arcejo	15132 Penitencia Ct Rd San Jose, CA 95132	(408) 272-4643	K	Belevessa	12/6/12
2	Michelle Train	M Train	5210 Birkdale Way San Jose, CA 95138	408 - 270-2904	2, 6	Evergreen	12/6/12
3	Boi Lam	B Lam	3483 Century Parkway San Jose, CA 95111	408 - 276-2904	2, 5	San Jose	12/6/12
4	Christina Cabral	Christina Cabral	2801 Armstead Ct. San Jose, CA	408 - 857-7379	1ST	Evergreen	12/6/12
5	ANDREA TAN	A Tan	872 CORLISA DR SAN JOSE 95128	408 280 5325	2ND	SHERMAN OAKS	12/6/12
6	LEANDRO TAN	L Tan	872A CORLISA DR SAN JOSE 95128	408 280 5325	2ND	SHERMAN OAKS	12/6/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

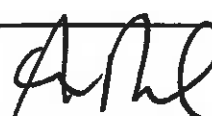
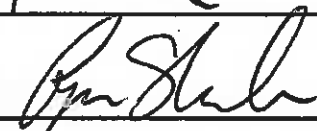
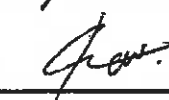

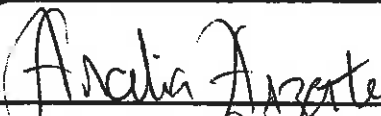

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1	ERIC REID		811 Schiele Ave SAN JOSE, CA 95126	408.489. 2539	3	TRACS	12/6/12
2	Karen Wifelman		2201 Park Ave SANTA CLARA, CA 95050	408 836 7280	1	Santa Clara	12/6/12
3	Jessica Butron		1845. 11th St San Jose, CA	408-256- 9137	Pre-K	Horace mann	12/6/12
4	Taylor Ward		6976 Claywood Way SAN JOSE, CA 95120	408-204- 4038	Pre-K	San Jose Graystone	12/6/12
5	Paige Bayer		684 N. 16th St 95112	408-297- 1952	4	Schallenberg	12-6-12
6	Lisa Hill-Pick		768 E Taylor	408-807- 0801	3	SJUSD Empire Gardens	12/6/12

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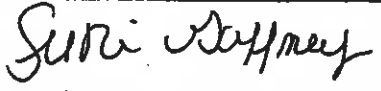

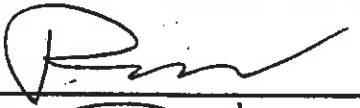

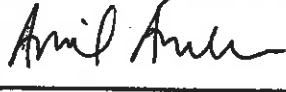

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1	Amy Poole		644 N. 16th St. San Jose, CA 95112	408-568-3258	K	SJUSD - Empire Gardens	12/5/12
2	Ryan Snowden		1551 McDaniel Ave San Jose, CA 95126	408-981-3416	K	SJUSD - TRACE	12/6/12
3	Daphne Chau		3037 Alexander Ave Santa Clara, CA 95051	408-872-4671	1	SJUSD - TRACE	12/6/12
4	Sarah Luthman		1755 University Way San Jose, CA 95126	408-217-9774	K	SJUSD Trace	12/6/12
5	Arcelia Arzate		1000 Blossom River Way APT # 622 San Jose 95123	408-806-8223	6	Alum Rock Cureton Elementary	12/6/12
6	Viola Alvarez		5062 Derek Dr.	408-307-5122	3	Bachrod + SJ	12/6/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

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1	Susie Gaffney		1163 Sierra Ave San Jose, CA 95126	408- 529-9545	3rd	Trace (Hammer)	12/5/12
2	Alfred Leporel		411 Park Ave #312 San Jose CA 95110	408 396 5947	2	Hammer Gardner	12/5/12
3	Riki Leporel		411 Park Ave #312 San Jose, CA	408 (408) 5007	K	Hammer Gardner	12/5/12
4	Roxanna Kenani		1158 Westwood Ln San Jose CA 95125	408- 265-2723	3rd	W.G. Elementary	12/5/12
5	April Anderson		106 Sundl St. San Jose, CA 95126	408- 876-7308	2	Hammer Trace	12/5/12
6	Shayla McClintock		955 Foxchase #431 San Jose, CA 95110	408 806-1635	3rd	Hammer Terrell Elementary	12/5/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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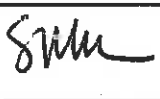
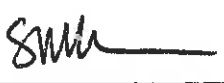




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1	Joanna Wan	<i>Joanna Wan</i>	1264 Avenida Benito San Jose, CA 95131	510-593- 8315	K	Orchard	12/5/2012
2	Diana Ong	<i>Diana Ong</i>	1531 Chihong Dr. San Jose, CA 95131	408-444- 4698	K	Orchard	12/5/12
3	Isabelle Chappuis	<i>Isabelle Chappuis</i>	1622 Valley Crest Dr San Jose CA 95131	408-452-5988	5th and 3rd	Vinci Park Elementary	12/6/2012
4	Morgan Foster	<i>Morgan Foster</i>	1029 Kensington Dr Fremont, CA 94539	(510) 938-4085	K	Chadbourne Elementary	12.6.12
5	Mary Do	<i>Mary Do</i>	2911 CATALDI Drive SAN JOSE CA 95132	408 515-5874	1	Brooktree	12/6/12
6	Yuan Tian	<i>Yuan Tian</i>	1184 FYNES CT. SAN JOSE CA 95131	408 408-4532	J K	Vinci Park Elementary	12/6/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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1	Stephanie Gulch		299 Harrison Ave Campbell CA 95008	408-375- 0124	6 th	Campbell	12-6-12
2	Stephanie Gulch		299 Harrison Ave Campbell CA 95008	408-375- 0124	Kindergarten	Campbell	12-6-12
3	Rebecca Dies		89 Pierce Ave San Jose CA 95110	408-379- 4044	2nd	Gardner	12-6-12
4	Rebecca Dies		89 Pierce Ave San Jose, CA 95110	408-379- 4044	4th	Gardner	12-6-12
5	Rebecca Dies		89 Pierce Ave San Jose, CA 95110	408-379- 4044	5th	Gardner	12-6-12
6	Carri Dowdy		153 Sandra Way Campbell CA 95008	408 515 0157	Pre School	moreland	12/6/12

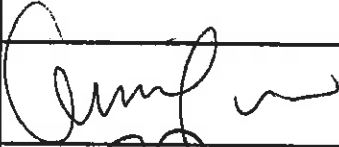


PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II

Petición para crear la Escuela Discovery Charter School II

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	NAME Nombre	SIGNATURE Firma
1	WINNIE POON	
2	LUISA RAPPORT	
3	LUISA RAPPORT	
4		
5		
6		

SAN JOSE, CA
2157 CHERRYSTONE DR.
SAN JOSE, CA

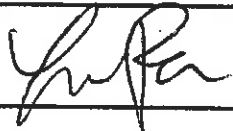
NE BER no de no	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
81-730	KINDER- GARTEN	ROSE ELEMENTARY	12/31 2012
408-348-3158	KINDER- GARTEN	TRACE ELEMENTARY	12/6 2012
408-348-3158	1 ST GRADE	TRACE ELEMENTARY	12/6/ 2012

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II

Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

Los peticionarios que firman abajo, certifican que (1) son padres de familia o guardianes con un Interés auténtico en que su(s) hijo(s) o protegido(s) atiendan la escuela Discovery Charter School II y (2) han leído (o se les ha leído) un resumen de la petición que describe adecuadamente y apropiadamente el programa de educación de la escuela Discovery Charter School II y (3) entienden que el documento esta disponible en <http://www.discoverytwo.org/> y en la oficina de la escuela Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. Por lo tanto, los peticionarios afirman que el estatuto adjunto merece consideración y piden a la Junta Directiva Escolar del Distrito Escolar Unificado de San Jose que lo apruebe según lo establece la Ley Educativa 47605.6. para permitir la creación de la escuela Discovery Charter School II. Los peticionarios autorizan al Equipo Fundador de dicha escuela a negociar las enmiendas de la petición adjunta y hacer lo necesario para asegurar su aprobación por parte de la Junta Escolar del Distrito Escolar Unificado de San Jose. La página de firmas estará adjunta a la petición en el momento de firmar.

	NAME <i>Nombre</i>	SIGNATURE <i>Firma</i>	ADDRESS <i>Dirección</i>	PHONE NUMBER <i>número de teléfono</i>	STUDENT GRADE IN 2013-2014 SCHOOL YEAR <i>Grado del estudiante</i>	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE <i>Fecha</i>
1	Yuan Pan		861 S 2nd St San Jose CA 95112	408-859-0220	1C	S.J. Walden EL	12/6/2012
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II

Petición para crear la Esc. Discovery Charter School II

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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante Pre School	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
	Eileen Perkins	Eileen Perkins	120 Oak Rim Way #11	408 356 0243	Pre School	LGUSD	12/6/12
1	Stevie Carera	Stevie Carera	Los Gatos, CA 19167 Old Vineyard Rd.	408 354 7740	4th 7th	LAKESIDE	12/6/12
2	Carrie Casto	Carrie Casto	1164 Singletary Ave SJ, CA 95126	292-7206 408 374 7771	4th 5th	SSUSD	12/6/12
3	PAUL KING	Paul King	605 CHAPMAN STREET SAN JOSE 95126	408 679 0065	2ND	SJUSD	12/6/12
4	SARAH RIOS	Sarah Rios	1275 Fremont St SAN JOSE, CA 95126	408 289 8098	4th	Trace SJUSD	12/6/12
5	SARAH RIOS	Sarah Rios	1275 Fremont St SAN JOSE, CA 95126	408 289 8098	6th	Trace SSUSD	12/6/12
6							

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

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	NAME <i>Nombre</i>	SIGNATURE <i>Firma</i>	ADDRESS <i>Dirección</i>	PHONE NUMBER <i>número de teléfono</i>	STUDENT GRADE IN 2013-2014 SCHOOL YEAR <i>Grado del estudiante</i>	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE <i>Fecha</i>
1	Ming-Hsien Hwang	<i>Ming Hsien Hwang</i>	2265 Middletown Dr. Campbell, CA 95008	408-3641617	1st	Capri Elementary	12/17/ 2012
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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	NAME <i>Nombre</i>	SIGNATURE <i>Firma</i>	ADDRESS <i>Dirección</i>	PHONE NUMBER <i>número de teléfono</i>	STUDENT GRADE IN 2013-2014 SCHOOL YEAR <i>Grado del estudiante</i>	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE <i>Fecha</i>
1	Allison Wade	allison wade	741 Margaret Lane Campbell, CA 95008	408 378 6953	1st	Campbell Union	12/5/12
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Christine Goettlmann		934 Broadleaf Lane SJ 95128	408-243-8887	4TH	Merritt Trace Elementary	12/6/12
2	Melissa Raplee	Melissa Raplee	256 Calle Marguerita B LOS GATOS CA 95032	408-582-4228	7th	Rolling Hills	12/6/12
3	Melissa Raplee	Melissa Raplee	256 Calle Marguerita B LOS GATOS CA 95032	408-582-4228	5th	Rolling Hills	12/6/12
4							
5							
6							

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II

Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

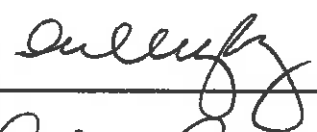
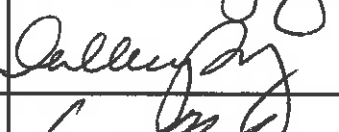

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	NAME <i>Nombre</i>	SIGNATURE <i>Firma</i>	ADDRESS <i>Dirección</i>	PHONE NUMBER <i>número de teléfono</i>	STUDENT GRADE IN 2013-2014 SCHOOL YEAR <i>Grado del estudiante</i>	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE <i>Fecha</i>
1	Alyse MASON		2249 CherryStone Dr San Jose	408-244- 6025	1st	Trace	12/5
2	Alyse Mason		" - "	" - "	4th	Trace	12/6
3	Alyse MASON		" - "	" - "	7th	Hoover	12/6
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.





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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Kelley Solberg		899 Robin Ln Campbell	408 357 8711	1st	Campbell	12/6/12
2	Kelley Solberg		"	"	3rd	Union	12/6/12
3	Gary Murrah		225 Aveny In #16 Los Gatos CA 95032	408 494 8509	4th	Los Gatos	12/6/12
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Petición para crear la Escuela Discovery Charter School II

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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Gigi Griffin		4116 Redwood Dr Campbell CA	408 377-4543	2	Village Campbell	12/7/12
2	Gigi Griffin		4116 Redwood Dr Campbell CA	408 377-4543	K	Village Campbell	12/7/12
3	Andra A. Gen		8204 Cervantes Way	408 378-3424	2	Campbell	12/7/12
4	Lexinda A. Gen		2204 Cervantes Way	408 378-3424	4	Campbell	12/7/12
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Petición para crear la Escuela Discovery Charter School II

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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Brian Cadieux		28 N. Midway Street	(408) 559-1220	7th	Campbell	12/6
2	Brian Cadieux		28 N. Midway Street	(408) 559-1220	7th	Campbell	12/6
3	Kristina Murata		40 N Midway St	(408) 369 1175	K	Campbell	12/6
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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Los peticionarios que firman abajo, certifican que (1) son padres de familia o guardianes con un interés auténtico en que su(s) hijo(s) o protegido(s) atiendan escuela Discovery Charter School II y (2) han leído (o se les ha leído) un resumen de la petición que describe adecuadamente y apropiadamente el programa de educación de la escuela Discovery Charter School II y (3) entienden que el documento está disponible en <http://www.discoverytwo.org/> y en la oficina de la escuela Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. Por lo tanto, los peticionarios afirman que el estatuto adjunto merece consideración y piden a la Junta Directiva Escolar del Distrito Escolar Unificado de San Jose que lo apruebe según lo establece la Ley Educativa 47605.6. para permitir la creación de la escuela Discovery Charter School II. Los peticionarios autorizan al Equipo Fundador de dicha escuela a negociar las enmiendas de la petición adjunta y hacer lo necesario para asegurar su aprobación por parte de la Junta Escolar del Distrito Escolar Unificado de San Jose. La página de firmas estará adjunta a la petición en el momento de firmar.

	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
	Marlise Slack	<i>Marlise Slack</i>	1418 Cherry Ave. SJ 95125	408-316-8997			
1	Marlise Slack	<i>Marlise Slack</i>	1418 Cherry Ave. SJ 95125		7	SJ Unifed	12/6/12
2	Kelly Cole	<i>Kelly Cole</i>	518 Railway Ave # 377 Campbell 95008	408-449-9218	6	Campbell	12/6/12
3	Marybwin	<i>Marybwin</i>	403 Kings Ct Campbell CA 95008	408-431-0471	K	Campbell	12/7/12
4	Marybwin	<i>Marybwin</i>	403 Kings Ct Campbell CA 95008	408-431-0471	3	Campbell	12/7/12
5	Marybwin	<i>Marybwin</i>	403 Kings Ct Campbell CA 95008	408-431-0471	5	Campbell	12/7/12
6							

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the office of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.



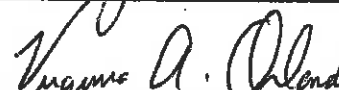
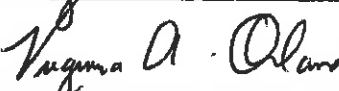


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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Scott Bastin		1335 Singletary Ave	408 398 7904	2	Trace	12/7/12
2	Shari Martinez		1157 Singletary Ave	408-295-7401	2	Trace	12/6/12
3	Shari Martinez		1157 Singletary Ave	408-295-7401	4	Trace	12/6/12
4	Stephanie Taylor		1156 Singletary Ave	408-298-2123	K	Trace	12/6/12
5	Lynne Brumm		1213 Singletary Ave.	408 981-6690	5	Trace	12/6/12
6	Lynne Brumm		1213 Singletary	"	4	Trace	12/6/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

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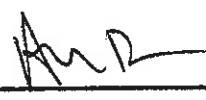


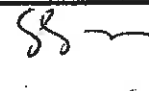
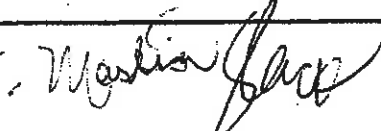
	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Karen Mettler		2260 Cherrystone Dr. SJ Ca 95128	408-296- 4288	K	Trace	12/6/12
2	Rosie Flores		1740 Delmas Ave Santa Jose, CA 95125	408-367- 6460	2	Gardner	12/6/12
3	Virginia Orlando		923 Blossom Dr. Santa Clara CA 95050	408-985- 2713	1	Haman Haman	12/6/12
4	Virginia Orlando		923 Blossom Dr. Santa Clara CA 95050	408-985- 2713	3	Haman	12/6/12
5	Virginia Orlando		923 Blossom Dr. Santa Clara CA 95050	408-985- 2713	4	Haman	12/6/12
6	Deanne Doane		677 Fuller Avenue San Jose, CA 95125	408-819- 4095	K	Gardner	12/6/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II

Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.


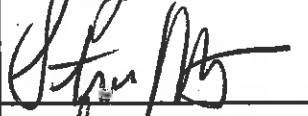



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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Angel Dillon		119 Old Apple Rd LG CA 95032	(408) 871-9235	4	Campbell Union	12/6
2	Angie Dillon		119 Old Apple Rd LG, CA 95032	(408) 871-9234	2	Campbell Union	12/6
3	Stephanie Snow		863 Robin Ln Campbell, CA 95008	408 603-6334	4	Campbell Union	12/6/12
4	Stephanie Snow		863 Robin Ln CMB CA 95008	408 603-6334	1	"	12/6/12
5	Stephanie Snow		863 Robin Ln Campbell CA 95008	408 603-6334	1	"	12/6/12
6	Markison Slack		1418 Cherry Ave. ST. CA 95125	408-316-8997	5	SJ Unified	12/6/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

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1	Wendy Escobar		2287 Sunny Vista Dr. SJ, CA 95128	408-244-3290	K	San Jose Unified	12/6/12
2	Stephandi Hodges		2240 Sunny Vista Dr SJ, CA 95128	408 614-6210	K	SJUSD	12/6/12
3	Hannah Watson		1033 Hardy Ave Campbell CA 95008	943- 330-2292	K	Campbell Union	12/7/12
4	Anna Ricci		1534 Silver Birch Lane SJ 95138	408 269-0401	K	Evergreen	12/7/12
5	Anna Ricci		" "	408 269-0401	T	Evergreen	12/11/12
6							

Petición para crear la Escuela Discovery Charter School II

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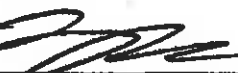
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1	Nancy DaSilva	<i>Nancy D</i>	1250 E. Campbell Ave	408 332-3802	3	Campbell	12-6-2012
2	Nancy DaSilva	<i>Nancy D</i>	1250 E. Campbell Ave	408 332-3802	Kinder.	Campbell	12-6-2012
3	Christine Green	<i>Christine Green</i>	1113 E. Campbell Ave Campbell, CA 95008	(408) 371-6449	1st	Campbell	12-6-12
4	Christine Green	<i>Christine Green</i>	1113 E. Campbell Ave Campbell, CA 95008	(408) 371-6449	1st	Campbell	12-6-12
5	Christine Green	<i>Christine Green</i>	1113 E. Campbell Ave Campbell, CA 95008				
3	Steve Smith	<i>Steve Smith</i>	166 North 1st St. Campbell, CA 95008	408 796-7600	2nd	Campbell	12-6-12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

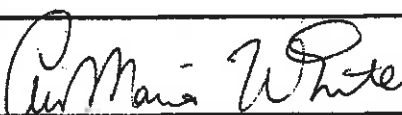




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1	Lisa Bain		745 Garden Dr. SJ 95126	408 569 3264	4, 2	SJ Unified	12/4/12
2	Lisa Bain		745 Garden Dr S.J 95126	408 569 3264	2	S.J. Unified	12/6/12
3	TERESA HYDER		8008 DELLSDALE DR SAN JOSE CA 95124	408-446- 0123	3	S.J. Unified	12/6/12
4	TERESA HYDER		5608 DELLSDALE DR SAN JOSE, CA 95124	408 440 0123	1	S.J. Unified	12/6/12
5	BEN LOH		14 N MIDWAY ST. CAMPBELL, CA 95008	408-879 8911	2	CAMPBELL UNIFIED	12/6/12
6	BEN LOH		14 N. MIDWAY ST. CAMPBELL, CA 95008	408-879 8911	4	CAMPBELL UNIFIED	12/6/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

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1	White Anna-Maria		18540 Devon Ave. Saratoga, CA 95070	831-246-1190	5	Village Campbell Unified	12/6/12
2	PETER HERZLINGER		18540 Devon Ave. Saratoga, CA 95070	408 761 6921	3	Village Campbell Unified	12/6/12
3	JANINE Buellesbach		6661 Bundy Ave San Jose, CA 95117	408.248. 3345	5	Village Campbell	12/6/12
4	ANNETTE RAU		18541 Montpere Way Saratoga, CA 95070	408-374- 5547	1	Marshall Lane Campbell	12/6/12
5	RENATO RAVANELLO		18541 Montpere Way Saratoga, CA 95070	408-564- 9484	3	Marshall Lane Campbell	12/6/12
6							

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
 Petición para crear la Escuela Discovery Charter School II

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Los peticionarios que firman abajo, certifican que (1) son padres de familia o guardianes con un interés auténtico en que su(s) hijo(s) o protegido(s) atiendan escuela Discovery Charter School II y (2) han leído (o se les ha leído) un resumen de la petición que describe adecuadamente y apropiadamente el programa de educación de la escuela Discovery Charter School II y (3) entienden que el documento está disponible en <http://www.discoverytwo.org/> y en la oficina de la escuela Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. Por lo tanto, los peticionarios afirman que el estatuto adjunto merece consideración y piden a la Junta Directiva Escolar del Distrito Escolar Unificado de San Jose que lo apruebe según lo establece la Ley Educativa 47605.6. para permitir la creación de la escuela Discovery Charter School II. Los peticionarios autorizan al Equipo Fundador de dicha escuela a negociar las enmiendas de la petición adjunta y hacer lo necesario para asegurar su aprobación por parte de la Junta Escolar del Distrito Escolar Unificado de San Jose. La página de firmas estará adjunta a la petición en el momento de firmar.

	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Jessica Hardy	<i>J Hardy</i>	498 W. Latimer Ave Campbell 95008	408 421 0621	2	Campbell	12-6-12
2	Jessica Hardy	<i>J Hardy</i>	498 W. Latimer Ave Campbell 95008	408 421 0621	K	Campbell	12-6-12
3	Dana DeVita	<i>Dana DeVita</i>	671 Division St. Campbell CA 95008	408 728 2131	2	Campbell	12-6-12
4	Dana DeVita	<i>Dana DeVita</i>	671 Division St. Campbell CA 95008	408 728 2131	1	Campbell	12-6-12
5	Wendy Stern	<i>Wendy Stern</i>	4930 Manitoba Dr. S.J. 95130	408 370-2753	1	Campbell	12-6-12
6	Wendy Stern	<i>Wendy Stern</i>	4930 Manitoba Dr. SJ 95130	408 370-2753	4	Campbell	12-6-12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the educational program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.



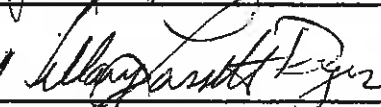

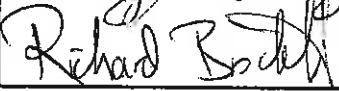
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	NAME <i>Nombre</i>	SIGNATURE <i>Firma</i>	ADDRESS <i>Dirección</i>	PHONE NUMBER <i>número de teléfono</i>	STUDENT GRADE IN 2013-2014 SCHOOL YEAR <i>Grado del estudiante</i>	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE <i>Fecha</i>
1	Laura Duran	<i>Laura Duran</i>	5176 Taft Drive, San Jose	408-239-3527	Kindergarten	Union	12/16/20
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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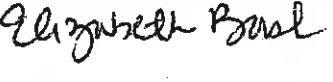
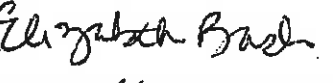
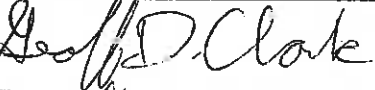

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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Matt Hammar		460 S. 15th St., San Jose 95112	408 287-1124	5th	Olinde, Mann	12/5/12
2	Heidi Austin		216 Gomes Ct #2 Campbell 95008	408 887-6620	1st	Campbell Middle	12/5/12
3	Jennifer Jansse-Peralta	Jennifer Jansse-Peralta	617 Vasona Ave. Los Gatos CA 95032	408 597- 2371	1st	Rolling Mill Campbell	12/7/12
4	Hillary Lassetter-Dyer		1126 Longbranch Ct San Jose CA 95126	408 971 9283	2nd	Campbell	12/7/12
5	Hillary Lassetter-Dyer		1126 Longbranch Ct San Jose CA 95126	408 971 9283	K	Campbell	12/7/12
6	Richard Bischoff		732 Millich Dr. Unif B, San Jose, CA 95117	408 287-1124 415-246-1552	K	Campbell	12/7/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Karen McVay		5235 Harwood Rd San Jose, CA 95124	408-445- 9653	1st	Union School	12/6/12
2	Elizabeth Bash		15020 Lynn Ave Los Gatos, CA 95032	408 356- 6171	K	Union	12/6/12
3	Elizabeth Bash		15020 Lynn Ave Los Gatos, CA 95032	408 356- 6171	4	Union	12/6/12
4	Elizabeth Bash		15020 Lynn Ave Los Gatos, CA 95032	408 356- 6171	7	Union	12/6/12
5	Geoffrey Clark		1030 Patricia Ct Campbell, CA 95008	408 378-8878	2	Campbell	12/7
6	Geoffrey Clark		1030 Patricia Ct Campbell, CA 95008	408 378-8878	4	Campbell	12/7

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.


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1	Erica Shirley Chubb		922 Curtner Ave S.J. 95125	408-979-1396	5 th	SJUSD Willow Glen Elem	12/6/12
2	Janine Buellshach		661 Bundy Ave San Jose	408-309-3345	2	Village Campbell Union	12/6/12
3	Nicole College		762 Laurel St San Jose	408-297-3372	4 th	SJUSD TRACE	12/6/12
4	Nicole college		762 Laurel St. SAN JOSE	408-297-3372	1 st	SJUSD TRACE	12/6/12
5	Martina Kocianon		749 Harnett Ave Campbell CA 95008	408-340-5466	3 rd	Campbell	12/6/12
6	Martina Kocianon		749 Harnett Ave Campbell CA 95008	408-340-5166	1 st	Campbell	12/6/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

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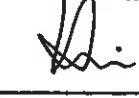

	NAME <i>Nombre</i>	SIGNATURE <i>Firma</i>	ADDRESS <i>Dirección</i>	PHONE NUMBER <i>número de teléfono</i>	STUDENT GRADE IN 2013-2014 SCHOOL YEAR <i>Grado del estudiante</i>	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE <i>Fecha</i>
1	Robert Rothrock		1575 Alta Glen Dr San Jose CA 95125	408 828 0567	4	Campbell	12/6/12
2							
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II

Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

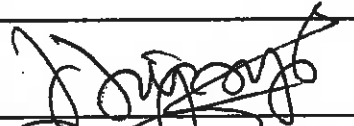

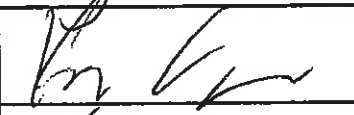

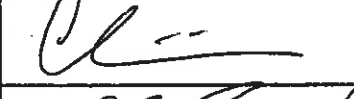

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	NAME <i>Nombre</i>	SIGNATURE <i>Firma</i>	ADDRESS <i>Dirección</i>	PHONE NUMBER <i>número de teléfono</i>	STUDENT GRADE IN 2013-2014 SCHOOL YEAR <i>Grado del estudiante</i>	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE <i>Fecha</i>
1	JENNIFER CAMORENA		1243 Chamberlain Ct Campbell CA 95008	408 780 6802	Pre-school	Campbell unified	12/6/12
2	JENNIFER CAMORENA		1243 Chamberlain Ct Campbell et 95008	408 780 6802	pre-school	Campbell unified	12/6/12
3	CONNIE BUSTILLO		1547 TOURAINE DR SAN JOSE 95118	408 464-5309	3 rd	UNION	12/6/12
4	CONNIE BUSTILLO		1547 TOURAINE DR SAN JOSE 95118	408 464-5309	6 th	UNION	12/6/12
5	Helen Que-Espin		2456 Old Elm Ct. San Jose, CA 95132	408 394-5173	Pre-school	Berryessa San Jose	12/6/12
6	Charlotte Cottrell		644 Hudson Dr Santa Clara, CA 95051	408 981-7526	pre school	Santa Clara unified	12/6/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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1	Viji Das Santos		10893 Sweetdale St Cupertino, CA 95014	408 - 506 - 6164	7	Cupertino School Dist Fremont	12/6/ 12
2	John Penick		431 Manchester Ave Campbell CA 95008	408-371 7344	3	Campbell Unified	12/6
3	Kevin Eikanas		5886 Bufkin Ct San Jose CA 95123	408-225 - 4457	2	Oak Grove	12/6
4	Kevin Eikanas		5886 Bufkin Ct San Jose, CA 95123	408-225 - 4457	2	Oak Grove	12/6
5	Christina Williams		1563 Parkview Ave. San Jose, CA 95130	408, 603. 6457	7	Moreland	12/6
6	Oscar Cartenas		552 LELAND AVE SAN JOSE, CA 95128	510 541-4738	K	Buena	12/6

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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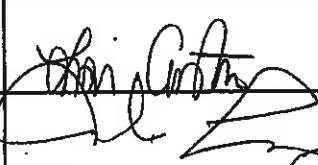
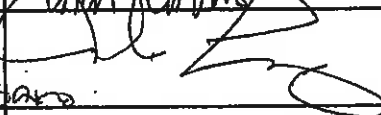
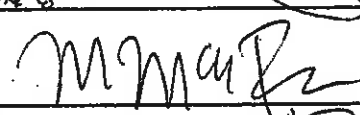
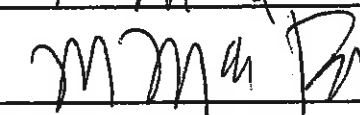
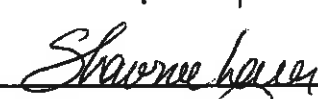
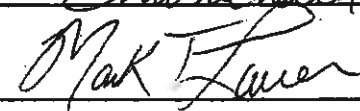
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	NAME <i>Nombre</i>	SIGNATURE <i>Firma</i>	ADDRESS <i>Dirección</i>	PHONE NUMBER <i>número de teléfono</i>	STUDENT GRADE IN 2013-2014 SCHOOL YEAR <i>Grado del estudiante</i>	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE <i>Fecha</i>
1	Chris Carroll	Chris Carroll	15771 Charming San Jose CA 95124	408- 626-8048	1 st	Carlton Union S.D	12/6/12
2							
3							
4							
5							
6							

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Lisa Castro		952 Ravenscourt Ave #4 San Jose, Ca. 95128	408-674-4124	6	Willow Glen	12-6-12
2	Andrew Lozano		4949 Portmarnock Pt San Jose, CA 95138	408 358377	4 6	Silver Oak	12-6-12
3	Melissa Fuller		1697 Willow Creek Dr SJ CA 95124	408 504-7951	1	SJUSD	12/6/12
4	Melissa Fuller				TK	SJUSD	12/6/12
5	Shannie Lauer		1805 Comstock Ln SJ CA 95124	408 267-8468	3	Cambrian	12/6/12
6	Mark Lauer		1805 Comstock Ln San Jose, CA 95124	(408) 267-8468	3	Cambrian	12/6/2012

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

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	NAME <i>Nombre</i>	SIGNATURE <i>Firma</i>	ADDRESS <i>Dirección</i>	PHONE NUMBER <i>número de teléfono</i>	STUDENT GRADE IN 2013-2014 SCHOOL YEAR <i>Grado del estudiante</i>	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE <i>Fecha</i>
1	Jeff EISENMAN	<i>Jeff Eisenman</i>	1829 Calistoga Dr	908 603 9146	4	Cambrian	12/6/12
2	Dusta Eisenman	<i>Dusta Eisenman</i>	1829 Calistoga Dr.	408 603-9146	2.4	Cambrian	12/6/12
3	Julie Mills	<i>Julie Mills</i>	1741 Lorenzen Dr	408 265-5405	1	SJ Unified	12/6/2012
4	Julie Mills	<i>Julie Mills</i>	1741 Lorenzen Dr	408 265-5405	3	SJ Unified	12/6/2012
5	Susan Larkin	<i>Susan Larkin</i>	1352 Olympic Ave	408-369- 9518	5	Cambrian	12/6/12
6	Royce Ford	<i>Royce M. Ford</i>	1681 Creek Dr.	408 294-2773	0	Galarza	12/6/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1.	Peggy Jensen-Ford	<i>Peggy Jensen-Ford</i>	1581 Creek Drive	408)294 2773		Galarza	12/6/12
2.							
3.							
4.							
5.							
6.							

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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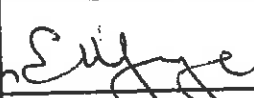
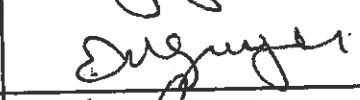


	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
	Michelle Pirooz	Michelle Pirooz	1255 Mckendrie St San Jose CA 95126	408 623-6588	Kindergarten	SJUSD	12-4-12
1	Cherise Bartusiak	Cherise Bartusiak	1063 Chapman St San Jose CA 95126	408 261-1831	K & 3 rd	SJUSD	12-5-12
2	Ann Dunham	Ann Dunham	1551 Bellomy St. Santa Clara 95050	408 260 8567	K	SCUSD	12/5/12
3	Michelle Pirooz	Michelle Pirooz	1255 Mckendrie St SJ CA 95126	408 623-6588	K	Trace SJUSD	12-4-12
4	Cheryl Zibel	Cheryl Zibel	652 San Miguel Ave Santa Clara CA 95050	408 247-1723	4 th	SCUSD	12/6/12
5	Aimee Heeren	Aimee Heeren	420 N - 15 th St. San Jose, CA 95112	408 491-9206	K	SJUSD Empire border	12/6/12
6	Aimee Heeren	Aimee Heeren	420 N. 15 th St. San Jose, CA 95112	408 491-9206	2 nd	SJUSD Empire	12/6/12

Guardians

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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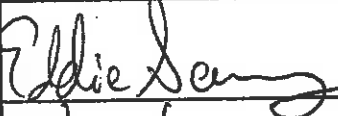


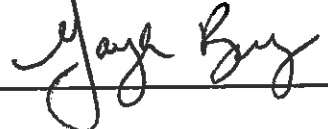
	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Ann Dunham		1551 Bellamy St Santa Clara CA 95050	408 240 9567	K	SCUSD	12-5-12
2	Eddie Nguyen		972 Maryann Dr Santa Clara CA 95050	408 246 7000	K, 1st	Hanover	12/6/12
3	Eddie Nguyen		972 Maryann Dr Santa Clara CA 95050	408 246 7000	2	"	12/6/12
4	Eddie Nguyen		972 Maryann Dr Santa Clara CA 95050	408 246 6700	4	"	12/6/12
5	Eddie Scumy		395 S. BUENA VISTA AVE. SAN JOSE, CA 95128	(408) 309-5243	5	SCUSD	12/6/12
6	Danny Flores		1737 Benton St S.C., CA 95050	(408) 857-5913	3rd	Santa Clara USD	12/6/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II

Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Alissal Shaw		4982 Union Ave. San Jose CA 95124	408 910 8798	K	Cambrian	12/5
2	Dawn Flores		1737 Benton St. S.C., CA 95052	(408) 857-5913	K, SD	Santa Clara SD	12/5
3	Eddie Scurry		395 S. BUENA VISTA AVE. SAN JOSE CA 95126	408-309-5243	K, SD K	Santa Clara SD	12/5/12
4	Kim Hickson		1793 Naglee Ave San Jose CA 95126	(408) 858 9533	K	San Jose Unified	12/5/12
5	Alison Watman		1952 Josephine Ave San Jose CA 95109	408-807- 8065	K	Cambrian	12/5/12
6	Gayle Barry		777 Lerzer Ave. San Jose CA 95124	408 924 0501	K	Rose ^{STU} Gard	12/5/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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1	Liane Gleaves	Liane Gleaves	1020 WORTH CT. San Jose 95126	424-3760	2nd	Trace	12/6/12
2	Priscilla Cunjak	Priscilla Cunjak	1334 N. Monroe St. San Jose, CA 95128	642- 1357	Kinder.	Trace	12/6/12
3	Lindsey Fozitas	[Signature]	20 Alviso Street Santa Clara CA 95050	408-510- 8225	2nd	Westwood	12/6/12
4	Kasey Ross	[Signature]	2275 Tulip Road San Jose, CA 95128	650-773 7838	Kinder	Trace	12/6/12
5	Aimee Heeran	Aimee Heeran	420 N. 15th St. San Jose, CA 95112	408-491- 9206	6th	Burnett	12/6/12
6	Darina Racinez	Darina Racinez	320 Valley View Ave. San Jose, CA 95127	408-472- 1995	K	San Jose Alum Rock	12/6/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II

Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
	Yang (Kate) Song	[Signature]	2350 Cimarron Dr. Santa Clara				
1	Yang (Kate) Song	[Signature]	2350 Cimarron Dr. Santa Clara, CA 95051	408-701- 7110	K Liliana Song	Bracher	12-5-2012
2	Prish Delao	[Signature]	470 Menker Ave 95128	408-674-7169	K	San Jose Unified School	12/5
3	Cynthia Jerdonek	Cynthia Jerdonek	4031 Crandall Circle Santa Clara, CA 95051	408-496-5781	K	San Jose (Don Callejon Elementary)	12/5/12
4	Angelyn Williams	Angelyn Williams	2199 Avenida de las Flores Santa Clara, CA 95054	408-529- 1612	K	Santa Clara Unified School	12/5/12
5	Amy Castello	Amy Castello	662 Helweh Ct. San Jose, CA 95126	408-439-0664	3	San Jose Unified	12/6/12
6	Amy Castello	Amy Castello	662 Helweh, Ct. San Jose, CA 95126	408-439-0664	1	San Jose Unified	12/6/12

402 123-6588

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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR 5 Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL Trace	DATE Fecha
	LeAnn Crawley	LeAnn Crawley	774 Schiele Ave. San Jose CA 95126	408-993 1230	5	Trace	12/6/12
1	^{Dawn Moore} Dawn Moore	Dawn Moore	2369 Kenwood S.J., CA 95128	408-309 6074	4	Trace	12/6
2	Debbie Hein	Debbie Hein	1723 W. Hedding St San Jose, CA 95126	408-243 6158	6	Trace/Hein	12/6/12
3	Debbie Hein	Debbie Hein	same	same	3	Trace	12/6/12
4	Carolyn Manning	Carolyn Manning	1456 Martin Avenue San Jose CA 95126	(408) 910- 3321	4	Trace	12/6/12
5	Carolyn Manning	Carolyn Manning	same	same	K	same	"
6	LINDSAY TELUCCI	Lindsay Telucci	2295 SUNNY VISTA DR. SAN JOSE, CA 95128	408 248- 5658	2	TRACE	12/06/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II

Petición para crear la Escuela Discovery Charter School II

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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Tina Ila	<i>Tina Ila</i>	1314 The Alameda #230 San Jose, CA 95123	(408) 439- 1767	3	SSUSD	12-6-12
2	Celeste Alexander	<i>Celeste Alexander</i>	1061 Eugene Ave. San Jose, CA. 95126	(408) 286-6499	3rd rd	SS Unified	12/6/12
3	Celeste Alexander	<i>Celeste Alexander</i>	1061 Eugene Ave. San Jose, CA. 95126	408 286-6499	1st.	SS Unified	12/6/12
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II

Petición para crear la Escuela Discovery Charter School II

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1	Naiwon Flores		1737 Benton St. S.C., CA 95050	(408) 857-5913	6 th	Santa Clara USD	12/6/12
2	KHANH Q. PHAM		1353 IDAHO STREET SANTA CLARA, CA 95050	(408) 663-7558	K	SANTA CLARA UNIFIED	12/6/12
3	KHANH Q. PHAM		1353 IDAHO STREET SANTA CLARA, CA 95050	(408) 663-7558	2 ND	SANTA CLARA UNIFIED	12/6/12
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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	NAME <i>Nombre</i>	SIGNATURE <i>Firma</i>	ADDRESS <i>Dirección</i>	PHONE NUMBER <i>número de teléfono</i>	STUDENT GRADE IN 2013-2014 SCHOOL YEAR <i>Grado del estudiante</i>	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE <i>Fecha</i>
1	Ryan Cahill	<i>Ryan Cahill</i>	4879 Campbell Ave San Jose, CA	614-806-0233	K	San Jose west	12-05
2	Margie Ruiz	<i>Margie Ruiz</i>	476 Leland Ave SJ Ca 95128	408 998 9523	K	Luther Burbank	12/6
3	Rodriguez, Sylvia	<i>Sylvia Rodriguez</i>	2050 Mary Helen Ln ST 95136	602-471-7442	K	Franklin- Mackeanly	12-6-12
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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1	JENNIFER Nate Stickle	Jennifer Stickle	1232 Malone Rd San Jose, CA 95125	(408) 265- 8827	3	Booksin	12-6- 2012
2	Emma Cohen	A. Cohen	2257 Fairhill Lane SAN JOSE, CA, 95125	408 622- 6705	4 th	Booksin	12-6 2012
3	Jeanne Cohen	A. Cohen	" "	" "	3 rd	Booksin	12-6 2012
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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1	Chi Wai Lau		101 WILDER AVE LOS GATOS CA	408 832 6448	4, [redacted]	Lga-Union Lga-Saratoga	12/6/12
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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1	Elise Aranson-Tsfat		2480 Westpark Drive San Jose, CA 95124	408-300-0067	2nd	Cambrian	12/6/12
2	Idit Katz		1621 Lewiston Dr San Jose, CA 95128	408-731-6631	Kindergarten	Cupertino	12/7/12
3	Idit Katz		1621 Lewiston Dr San Jose, CA 95128	408-731-6631	5th Book	Cupertino	12/7/12
4	Yoel Schull		7049 HEATON MAOR	904-9905	K	Outlook	12/7/12
5	Sheryl Pym		711 College Dr San Jose 95128	454-2632	K	Campbell Clayton	12/7/12
6	Sheryl Pym		711 College Dr San Jose 95128	454-2632	K	Campbell Union	12/7/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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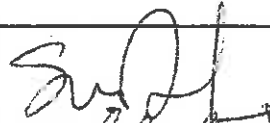

	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Julie Sexton	<i>Julie Sexton</i>	2561 Hill Park Dr.	408-266-2069	3	Cambrian	12/4/12
2	Julie Sexton	<i>Julie Sexton</i>	2561 Hill Park Dr.	408-266-2069	K	Cambrian	12/6/12
3	Lorraine De La Cruz	<i>Lorraine De La Cruz</i>	1181 Singletary Ave San Jose CA 95126	(408) 828-5178	K	TRACE SSUISD	12/4/12
4	ELAINELP	<i>Elaine LP</i>	437 S 12th St San Jose CA 95112	408 287 5041	K	HOEACE 177ANNI	12/6/12
5	Nancy Kay	<i>Nancy Kay</i>	1419 Rhine Lane San Jose, CA 95118	408-410- 1807	K	Guadalupe Carmichael UNISD	12/6/12
6	Sirna Ambar	<i>Sirna Ambar</i>	1376 Selodr, Sunnyvale, CA 94087	408-830 9241	3	Cupertino	12/7/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II

Petición para crear la Escuela Discovery Charter School II

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Los peticionarios que firman abajo, certifican que (1) son padres de familia o guardianes con un interés auténtico en que su(s) hijo(s) o protegido(s) atiendan la escuela Discovery Charter School II y (2) han leído (o se les ha leído) un resumen de la petición que describe adecuadamente y apropiadamente el programa de educación de la escuela Discovery Charter School II y (3) entienden que el documento esta disponible en <http://www.discoverytwo.org/> y en la oficina de la escuela Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. Por lo tanto, los peticionarios afirman que el estatuto adjunto merece consideración y piden a la Junta Directiva Escolar del Distrito Escolar Unificado de San Jose que lo apruebe según lo establece la Ley Educativa 47605.6. para permitir la creación de la escuela Discovery Charter School II. Los peticionarios autorizan al Equipo Fundador de dicha escuela a negociar las enmiendas de la petición adjunta y hacer lo necesario para asegurar su aprobación por parte de la Junta Escolar del Distrito Escolar Unificado de San Jose. La página de firmas estará adjunta a la petición en el momento de firmar.

	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Sonia Ambar		1376 Selva dr, Sunnyvale CA, 94087	408-850- 9241	4	Argenteo	12/7
2	DIREKTA CASPI		2360 C de la... Ave San Jose, CA 95128	428-358- 0469	R	Union	12/7
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

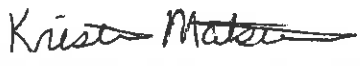
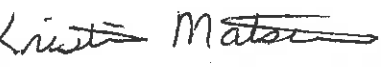


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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Lynne Martinez	<i>Lynne Martinez</i>	5970 Millrose Drive S.J. CA 95123	408 316-0317	5th grade	Allen @ Stienbeck SJU	12-6-12
2	Amber Martines	<i>Amber Martines</i>	5979 Millrose Drive S.J. CA 95123	408-505-5580	2nd grade	Allen @ Stiebeck SJU	12/6/12
3	Marne Scharmer	<i>Marne Scharmer</i>	1380 Courtyard Dr San Jose, CA 95128	408 723 7477	7th grade	Reed SJU Elem	12/6/12
4	SUSAN NORMAN	<i>Susan Norman</i>	5551 Ethersberg Drive	(408) 226- 2357	4th	Alex Anderson OGSD	12/7/12
5	Gosia Rios	<i>Gosia Rios</i>	5539 Ethersberg Dr San Jose CA	408 234 3773	2	Alex Anderson OGSD	12/7/12
6	Gosia Rios	<i>Gosia Rios</i>	5539 Ethersberg Dr San Jose CA	408 234 3773	3	Alex Anderson OGSD	12/7/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Kristine Matsumoto		4534 Harwood Rd. San Jose 95124	408-264- 7671	3	Union	12/6/12
2	Kristine Matsumoto		4534 Harwood Rd. San Jose 95124	408-264- 7671	K	Union	12/6/12
3	BRUCE Bous		1434 HANCK DR SAN CA 95118	408.394. 5746	K	STUD	12/6/12
4	Tiffany Treviers		4446 Desin Dr San Jose, CA 95118	408 266 7755	2	San Jose Vintner	12/6/12
5							
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II

Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Sonja Thieme		1771 Barcelona Ave San Jose, CA 95124	408-266- 9129	3rd	USD - Oster Elem- entary	12/4/12 4/12/12
2	Sonja Thieme		1771 Barcelona Ave San Jose, CA 95124	408-266- 9129	5th	USD - Oster Elem- entary	12/4/12
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.


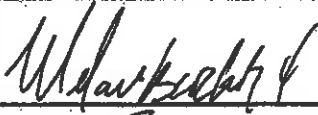



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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Bonnie Denoyer	<i>Bonnie Denoyer</i>	5056 Bucknall Rd San Jose, CA 95130	(408) 871-2084	3rd	Moreland	12-6-12
2	"	<i>Bonnie Denoyer</i>	"	"	2nd	Moreland	12-6-12
3	Malcolm Ching	<i>Malcolm Ching</i>	1946 White Oaks Rd Campbell	408-385-1518	1st	Cambrim AA	12/6/12
4							
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Petición para crear la Escuela Discovery Charter School II

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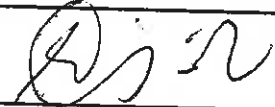
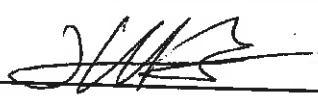
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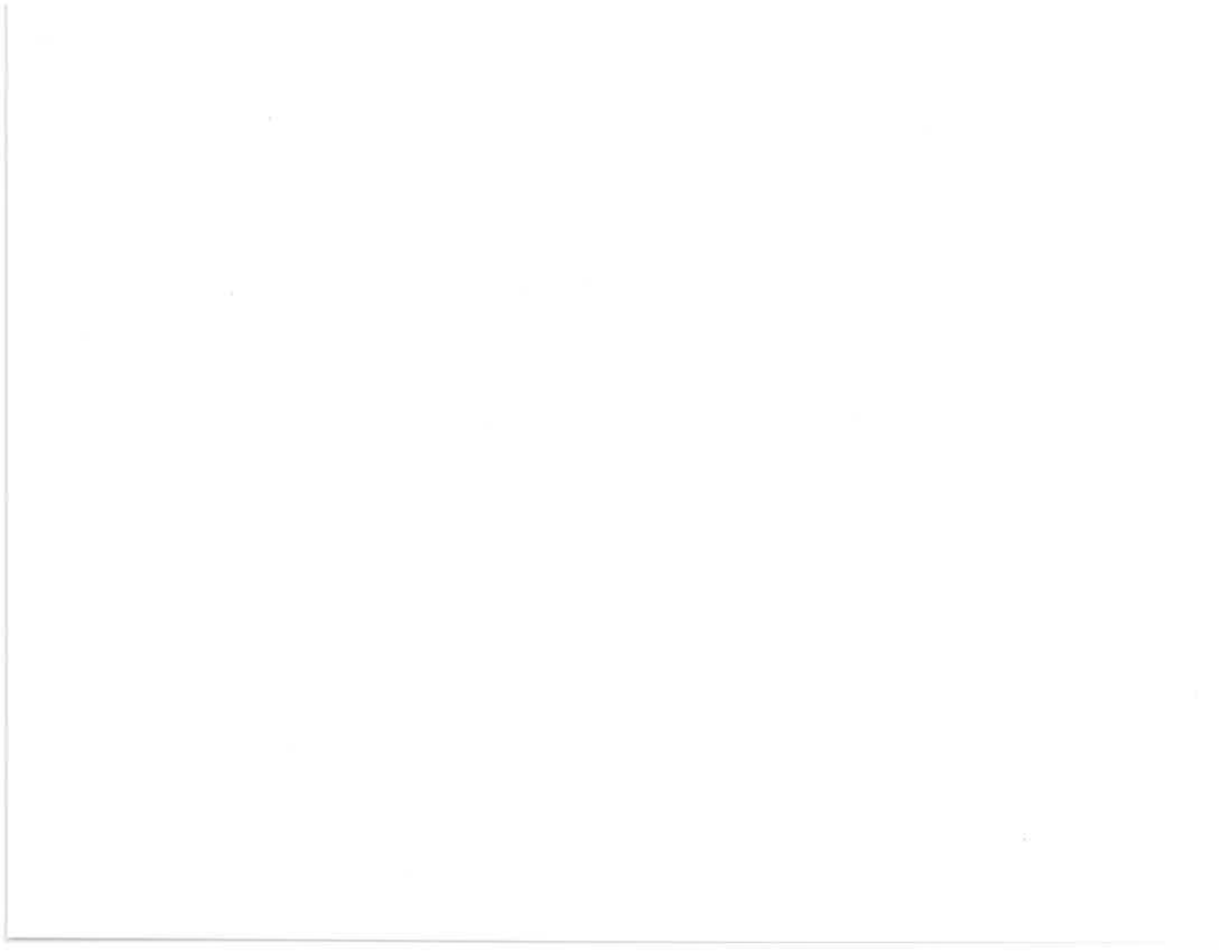
	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	ERIC SANDSTROM		1867 oldbridge RD	408 658-4716	K	BERRYESSA UNION	12-6-12
2	Melanie Barzabal		1339 Norma Dr	408 966-5751	1	Lowland	12-6-12
3	Ernest Tai		2300 S. San Tomas Aguino Rd.	408 963-6922	1	Mooreland	12/6/12
4	AUSSA HARBECK		2018 BEL AIR AVE SAN JOSE CA 95128	415 678-7648	K	SJ UNIFIED	12/6/12
5	JASON SANDSTROM		2113 EMORY ST SAN JOSE 95128	408 221-3074	K	SJ UNIFIED	12/6/12
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Mark Christensen		910 Wilson Ave Santa Clara	408-296-253	3rd	Santa Clara	12/7
2	Chris Korte		962 Marion Way Sunnyvale	408-273-1328	3rd	Santa Clara	12/7/12
3	Jennifer Yang		751 Pomeroy Ave Santa Clara 95057	408 204 0592	6	Santa Clara	12/2/12
4	Jennifer Yang		957 Pomeroy Ave Santa Clara 95051	408 204 0592	K	Santa Clara	12/7/12
5	Rubab Rahmatullah		2373 homestead Rd, Santa Clara	251-3194	1	Santa Clara	12/7/12
6	BOL BOL		1220 Garbo way Apt #101 San Jose, CA 95117	408-576-7001	T-K	Moreland	12/7/12





PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6, to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

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NAME <i>Nombre</i>	SIGNATURE <i>Firma</i>	ADDRESS <i>Dirección</i>	PHONE NUMBER <i>número de teléfono</i>	STUDENT GRADE IN 2013-2014 SCHOOL YEAR <i>Grado del estudiante</i>	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE <i>Fecha</i>
Jane Dodge	Jane Dodge	1577 Hallbrook Dr. San Jose, CA 95118	408-269- 2610	2nd	Reed	12/7/ 12
Jane Dodge	Jane Dodge	1577 Hallbrook Dr. San Jose, CA 95118	408-269- 2610	4th	Reed	12/7/ 12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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	NAME <i>Nombre</i>	SIGNATURE <i>Firma</i>	ADDRESS <i>Dirección</i>	PHONE NUMBER <i>número de teléfono</i>	STUDENT GRADE IN 2013-2014 SCHOOL YEAR <i>Grado del estudiante</i>	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE <i>Fecha</i>
1	Julie Aguas	<i>Julie Aguas</i>	955 Blossom Dr. Santa Clara, CA 95050	408-247-3650	K	Haman <i>(Santa Clara Unified)</i>	12/5/12
2	Julie Aguas	<i>Julie Aguas</i>	955 Blossom Dr. Santa Clara, CA 95050	408-247-3650	2	Haman <i>(Santa Clara Unified)</i>	12/5/12
3	Min Yang	<i>Min Yang</i>	1998 Colleen Drive Los Altos, CA 94024	650-282-5262	K	Montclair	12/5/12
4	Joshna Edupuganti	<i>Joshna Edupuganti</i>	2035 Samaxi lam Dr San Jose, CA 95124	408 674 1796	2	Union School District	12/5/12
5	Tanisha Gutierrez	<i>Tanisha Gutierrez</i>	1228 Prescott Ave. Sunnyvale CA 94089	(408) 522-6170	K	Sunnyvale School District	12/6/12
6	Tanisha Gutierrez	<i>Tanisha Gutierrez</i>	1228 Prescott Ave. Sunnyvale CA. 94089	(408) 522-6170	B	Sunnyvale School District	12/6/12

(See Reverse)

PETITION FOR THE ESTABLISHM OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

Los peticionarios que firman abajo, certifican que (1) son padres de familia o guardianes con un interés auténtico en que su(s) hijo(s) o protegido(s) atiendan la escuela Discovery Charter School II y (2) han leído (o se les ha leído) un resumen de la petición que describe adecuadamente y apropiadamente el programa de educación de la escuela Discovery Charter School II y (3) entienden que el documento esta disponible en <http://www.discoverytwo.org/> y en la oficina de la escuela Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. Por lo tanto, los peticionarios afirman que el estatuto adjunto merece consideración y piden a la Junta Directiva Escolar del Distrito Escolar Unificado de San Jose que lo apruebe según lo establece la Ley Educativa 47605.6. para permitir la creación de la escuela Discovery Charter School II. Los peticionarios autorizan al Equipo Fundador de dicha escuela a negociar las enmiendas de la petición adjunta y hacer lo necesario para asegurar su aprobación por parte de la Junta Escolar del Distrito Escolar Unificado de San Jose. La página de firmas estará adjunta a la petición en el momento de firmar.

	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Kim English		1511 Hack Ave, Campbell CA 95008	408-628- 8735	3	Campbell Capri	12/6/12
2	Kim English		1511 Hack Ave, Campbell CA 95008	408-628- 8735	5	Campbell Capri	12/6/12
3	Kim English		1511 Hack Ave, Campbell CA 95008	408-628- 8735	8	Campbell Capri	12/6/12
4							
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Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.





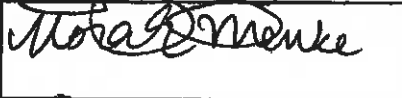
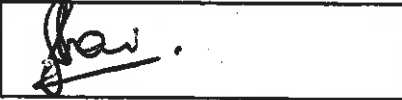
Los peticionarios que firman abajo, certifican que (1) son padres de familia o guardianes con un interés auténtico en que su(s) hijo(s) o protegido(s) atiendan escuela Discovery Charter School II y (2) han leído (o se les ha leído) un resumen de la petición que describe adecuadamente y apropiadamente el programa de educación de la escuela Discovery Charter School II y (3) entienden que el documento esta disponible en <http://www.discoverytwo.org/> y en la oficina de la escuela Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. Por lo tanto, los peticionarios afirman que el estatuto adjunto merece consideración y piden a la Junta Directiva Escolar del Distrito Escolar Unificado de San Jose que lo apruebe según lo establece la Ley Educativa 47605.6. para permitir la creación de la escuela Discovery Charter School II. Los peticionarios autorizan al Equipo Fundador de dicha escuela a negociar las enmiendas de la petición adjunta y hacer lo necesario para asegurar su aprobación por parte de la Junta Escolar del Distrito Escolar Unificado de San Jose. La página de firmas estará adjunta a la petición en el momento de firmar.

	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Gina D'Amico	<i>Gina D'Amico</i>	416 Manchester Ave Campbell CA 95008	408-626-9288	2 nd	Campbell	12-6-12
2	Melinda Gunnarsson	<i>Melinda Gunnarsson</i>	3010 Julio Ave SJ 95124	408-476-2298	Kindergarten	Cambrian	12-6-12
3	Melinda Gunnarsson	<i>Melinda Gunnarsson</i>	3010 Julio Ave SJ 95124	408 476-2298	Kindergarten	Cambrian	12-6-12
4	Michelle Bach	<i>Michelle Bach</i>	1809 Park Ave S 95126	408 261-2744	1st	Trace	12-6-12
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

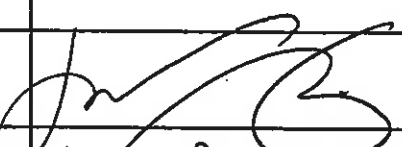



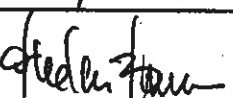
Los peticionarios que firman abajo, certifican que (1) son padres de familia o guardianes con un interés auténtico en que su(s) hijo(s) o protegido(s) atiendan la escuela Discovery Charter School II y (2) han leído (o se les ha leído) un resumen de la petición que describe adecuadamente y apropiadamente el programa de educación de la escuela Discovery Charter School II y (3) entienden que el documento esta disponible en <http://www.discoverytwo.org/> y en la oficina de la escuela Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. Por lo tanto, los peticionarios afirman que el estatuto adjunto merece consideración y piden a la Junta Directiva Escolar del Distrito Escolar Unificado de San Jose que lo apruebe según lo establece la Ley Educativa 47605.6. para permitir la creación de la escuela Discovery Charter School II. Los peticionarios autorizan al Equipo Fundador de dicha escuela a negociar las enmiendas de la petición adjunta y hacer lo necesario para asegurar su aprobación por parte de la Junta Escolar del Distrito Escolar Unificado de San Jose. La página de firmas estará adjunta a la petición en el momento de firmar.

	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Jenny Swartz		3775 Blossomview Dr San Jose, CA 95118	408-887-9739	N/A K-in 2014	Reed San Jose (Reed)	11/6/12
2	Janine Johnson		3738 Blossomview Dr San Jose, CA 95118	408-839-8339	K	Reed San Jose	12/6/12
3	Evelyn Hanson		675 W. Sunnyvale Ave Campbell, CA 95008 apt B	408-550-5255	1st	Capri CUSD	12/6/12
4	Evelyn Hanson		" "	" "	2nd	" "	12/6/12
5	Nora Menke		4824 Banberry Way San Jose CA 95124	408 978 7998	3rd	Union - Carlton	12/6/12
6	Savita Ghai		1614 W. Hacienda Ave. Campbell, CA - 95008	408-205-6054	5th	Campbell	12/6/12

PETITION FOR THE ESTABLISHM. OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

Los peticionarios que firman abajo, certifican que (1) son padres de familia o guardlanes con un interés auténtico en que su(s) hijo(s) o protegido(s) atiendan la escuela Discovery Charter School II y (2) han leído (o se les ha leído) un resumen de la petición que describe adecuadamente y apropiadamente el programa de educación de la escuela Discovery Charter School II y (3) entienden que el documento esta disponible en <http://www.discoverytwo.org/> y en la oficina de la escuela Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. Por lo tanto, los peticionarios afirman que el estatuto adjunto merece consideración y piden a la Junta Directiva Escolar del Distrito Escolar Unificado de San Jose que lo apruebe según lo establece la Ley Educativa 47605.6. para permitir la creación de la escuela Discovery Charter School II. Los peticionarios autorizan al Equipo Fundador de dicha escuela a negociar las enmiendas de la petición adjunta y hacer lo necesario para asegurar su aprobación por parte de la Junta Escolar del Distrito Escolar Unificado de San Jose. La página de firmas estará adjunta a la petición en el momento de firmar.

	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Julia Luz Martinez		456 N 7th St. San Jose CA 95112	408- 993-8389	K	Grant Elementary	05 Dec 2012
2	Mindy Saum		635 Chapman St, San Jose, CA 95126	408.283. 0117	N/A -	Trace	05 Dec 2012
3	RALPH ANDERSON		892 TOYON AVENUE SUNNYVALE, CA 94086	408-615- 0706	2	SANTA CLARA UNIFIED	12/5/12
4	Elizabeth A. Sramek		14901 RONDA DRIVE SAN JOSE 95124	408 605-0771	4	Cambrian SD-	12/5/12
5	Andrea Brown		741 N. 5th St. San Jose, CA 95112	(408) 993-0239 (650) 703-2868	K	SJUSD Bacchrodtt	12/5/12
6							

The petitioners listed below certify that (1) they are parents or guardians who are genuinely interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Leana Dalton	Leana Dalton	1844 Tapeka Ave SJ 95126	408 971 1650	1st	Trace	12/6/12
2	Lisha Guin	Lisha Guin	1630 Stevens Creek Blvd	408 3934365	5th	Cupertino	12/6/12
3	April Anderson	April Anderson	106 Sunol St. SJ 95126	408-876 7308	TK	Trace	12/6/12
4	Troy Wolverton	Troy Wolverton	1251 REDWOOD DR. SAN JOSE, CA 95125	408.300.1384	K	Booksin	12/6/12
5	Troy Wolverton	Troy Wolverton	1251 REDWOOD DR. SAN JOSE, CA 95125	408.300.1384	4	Booksin	12/6/12
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

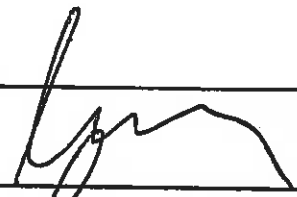

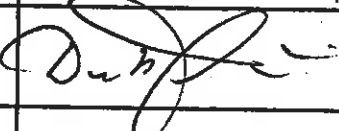
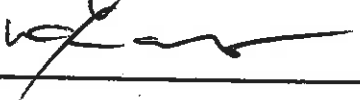
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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	CAMILLA J. GONZALEZ	<i>Camilla Juliana Gonzalez</i>	1550 AVINA CIRCLE # 4. STA CLARACA	(408) 674-5841	Kindergarten	Don Call for Santa Clara School 2312 Dist	12-16
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

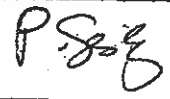
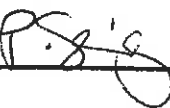
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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	HIKMET OZKAN		1142 CANDLEWOOD CT. SUNNYVALE, CA	408 774 1675	3	Sunnyvale	Dec 6 2012
2	HIKMET OZKAN		1142 CANDLEWOOD SUNNYVALE, CA	408 774 1675	K	Sunnyvale	Dec 6 2012
3	Dale Federighi		1159 Willow St. San Jose, CA 95125	520. 676. 2659	1 1	San Jose Unified (Willow Glen)	Dec 6 2012
4	Ivan Makarou		471 Waskow Dr, San Jose, CA 95123	408 679 1155	1 1	Oak Grove (San Jose)	Dec 6 2012
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Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

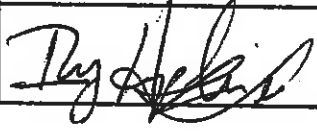
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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Penny Sisley		1369 Rodney Drive San Jose, CA 95118	408 515 1356	4 th +	San Jose Unified	12/5/12
2	Penny Sisley		"	408 515 1356	1 st	San Jose Unified	12/5/12
3							
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.



Los peticionarios que firman abajo, certifican que (1) son padres de familia o guardianes con un interés auténtico en que su(s) hijo(s) o protegido(s) atiendan la escuela Discovery Charter School II y (2) han leído (o se les ha leído) un resumen de la petición que describe adecuadamente y apropiadamente el programa de educación de la escuela Discovery Charter School II y (3) entienden que el documento esta disponible en <http://www.discoverytwo.org/> y en la oficina de la escuela Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. Por lo tanto, los peticionarios afirman que el estatuto adjunto merece consideración y piden a la Junta Directiva Escolar del Distrito Escolar Unificado de San Jose que lo apruebe según lo establece la Ley Educativa 47605.6. para permitir la creación de la escuela Discovery Charter School II. Los peticionarios autorizan al Equipo Fundador de dicha escuela a negociar las enmiendas de la petición adjunta y hacer lo necesario para asegurar su aprobación por parte de la Junta Escolar del Distrito Escolar Unificado de San Jose. La página de firmas estará adjunta a la petición en el momento de firmar.

	NAME <i>Nombre</i>	SIGNATURE <i>Firma</i>	ADDRESS <i>Dirección</i>	PHONE NUMBER <i>número de teléfono</i>	STUDENT GRADE IN 2013-2014 SCHOOL YEAR <i>Grado del estudiante</i>	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE <i>Fecha</i>
1	Ivy Hopkins		752 Silver Pine Ct. Sunnyvale, CA 94086	408-743-0841	K	SCUD	12/6/12
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

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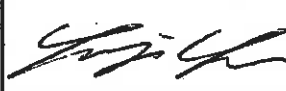

	NAME <i>Nombre</i>	SIGNATURE <i>Firma</i>	ADDRESS <i>Dirección</i>	PHONE NUMBER <i>número de teléfono</i>	STUDENT GRADE IN 2013-2014 SCHOOL YEAR <i>Grado del estudiante</i>	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE <i>Fecha</i>
1	Nicole Janovitch		3874 Wellington Square San Jose, CA 95136	408 269 5050	K	SJUSD Terrell	12/5/12
2	ERIC NERI		3874 WELLINGTON SQUARE SAN JOSE, CA 95136	408-269-5050	(First) 1ST	SJUSD TERRELL	12/5/12
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II

Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

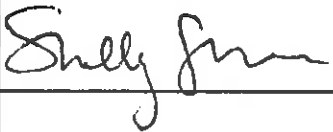
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	NAME <i>Nombre</i>	SIGNATURE <i>Firma</i>	ADDRESS <i>Dirección</i>	PHONE NUMBER <i>número de teléfono</i>	STUDENT GRADE IN 2013-2014 SCHOOL YEAR <i>Grado del estudiante</i>	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE <i>Fecha</i>
1	YUEYI YAN		1332 Ridgewood Drive San Jose CA 95118	408-300- 8138	Jeremy Wei 6th	Castillero middle	12/6/12
2	YUEYI YAN		1332 Ridgewood Drive San Jose CA 95118	408-300-8138	Emily Wei 3rd	Almaden elementary	12/6/12
3	YUEYI YAN		1332 Ridgewood Drive San Jose CA 95118	408-300-8138	Kimberly Wei 3rd	Almaden elementary	12/6/12
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Shelly Johnson		151 Orchard Oak Circle Campbell	650-704- 9332	K	Campbell ISD	12/5/12
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PETITION FOR THE ESTABLISHM. OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Arielle Kurtze	<i>Arielle Kurtze</i>	2365 azavebo Rkwy San Jose Ca 95125	408-348- 8074	K	Franklin McKinley	12/5/12
2	Carol Hanuska	<i>Carol Hanuska</i>	804 Kennetn Ave Campbell, CA 95008	408 628 4541	5	Campbell	12/5/12
3	Carol Hanuska	<i>Carol Hanuska</i>	804 Kennetn Ave Campbell, CA 95008	408 628 4541	2	Campbell	12/5/12
4	Carol Hanuska	<i>Carol Hanuska</i>	804 Kennetn Ave Campbell, CA 95008	408 628 4541	K	Campbell	12/5/12
5	Andre Lei	<i>Daphne Chng</i>	3326 Granada Ave. Santa Clara, CA 95051	408-544 0587	K	Pomeroy	12/5/12
6	Andre Lei						

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

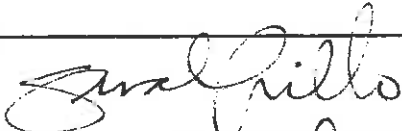
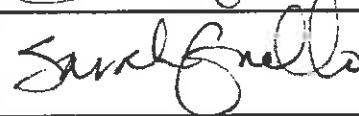


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	NAME <i>Nombre</i>	SIGNATURE <i>Firma</i>	ADDRESS <i>Dirección</i>	PHONE NUMBER. <i>número de teléfono</i>	STUDENT GRADE IN 2013-2014 SCHOOL YEAR <i>Grado del estudiante</i>	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE <i>Fecha</i>
1	Jane Sciorelli	<i>Jane Sciorelli</i>	2184 Newhall St SJ CA 95128	408- 623-8403	1st	San Jose unified	12/5/12
2	Ronda Monteluo	<i>Ronda Monteluo</i>	1286 N. Market St SJ CA 95128	408 243-0336	1st 4th	SJ	12/5/12
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
 Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.





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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Sarah Coviello		1176 Hanchett Ave SJ, CA 95126	408 294- 6889	6	Trace Elementary	12/5/12
2	Sarah Coviello		1176 Hanchett Ave SJ, CA 95126	408 294- 6889	4	Trace Elementary	12/5/12
3	Elizabeth Leamy		1746 Emory St. SJ, CA 95126	408-391-0001	1	Trace	12/5/12
4	Elizabeth Leamy		1746 Emory St. SJ CA 95126	408-391-0001	4	Trace	12/5/12
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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1	Rosalia Luna		334 HULL AVE San Jose, Ca	408 644 9152	Kindergarten	Willow Glen	12/6/12
2	ERIC BONESTEEL		195 PIERCE AV SAN JOSE, CA 95110	408-920 -9836	3	GARDNER	12/6/12
3	Paul OLSAN		107 PIERCE AVE SAN JOSE 95110	408 375 9106	5	River Glen	12/6/12
4	Paul Olsan		107 PIERCE AVE SAN JOSE 95110	408 375 9106	5	River Glen	12/6/12
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II

Petición para crear la Escuela Discovery Charter School II

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1	Hilary Lansdon	<i>Hilary Lansdon</i>	871 Tamarack Av	6505155021	K	SJ Unified Trace	12/6/12
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

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	NAME <i>Nombre</i>	SIGNATURE <i>Firma</i>	ADDRESS <i>Dirección</i>	PHONE NUMBER <i>número de teléfono</i>	STUDENT GRADE IN 2013-2014 SCHOOL YEAR <i>Grado del estudiante</i>	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE <i>Fecha</i>
1	Gina Contreras		14275 Capri dr.	(408) 903-7374	6 th	Campbell	12-05-2012
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PETITION FOR THE ESTABLISHMENT DISCOVERY CHARTER SCHOOL II

Petición para crear la Escuela Discovery Charter School II

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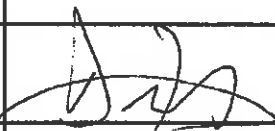


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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Kudsana Kizaraly		922 Latimer Circle Campbell, CA 95008	408-815-1161	1	Campbell Union	12/10/12
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.



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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	David Fong		1421 Maxwell Way San Jose, CA 95127	408-441 8808	K	Orchard	12/6/12
2	Kelsie Lam		1473 Leafytree Circle San Jose CA 95131	408-4521683	5th	Bempeza	12/7/12
3	Amson Lam		1473 Leafytree Circle San Jose CA 95131	408-4521683	1st	Bempeza	12/7/12
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

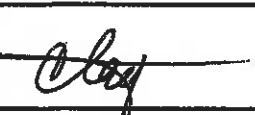
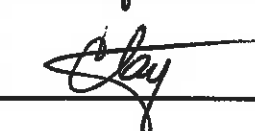
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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Jennifer Lakner		1032 Woodvale Ct. San Jose, CA 95116	408-888-9247	Ian 3rd. Grade	Selma Olinder	12/6/12
2	Jennifer Lakner		1032 Woodvale Ct. San Jose, 95116 CA	408-888-9247	Jasmin Kinder	Selma Olinder	12/6/12
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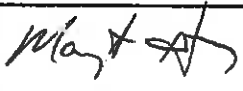
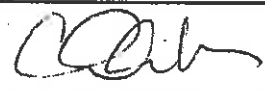

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1	CHRISTINE TAYLOR		664 N. 16th St. SAN JOSE, CA 95112	408- 483-3645	FK	EMPIRE GARDENS	12-6-12
2	CHRISTINE TAYLOR		664 N. 16th St. SAN JOSE, CA 95112	408- 483-3645	2nd	EMPIRE GARDENS	12-6-12
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II



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1	Margaret Hawley		1258 Butterfly Drive. San Jose, CA 95120	408-821- 4652	++3 1	San Jose Unified (Los Alamitos)	12/6/12
2	↓	↓	↓	↓	3	Los Alamitos	12/6/12
3	Charles Moore		1702 Papyrus Ln San Jose, CA 95126	408-506- 7809	1	Trace	12/6/12
4	Charles Moore		↓	↓	3	Trace	12/6/12
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1	Diane Young		403 S 11th St. SJ 95112	408 995 6799	K	Lowell SJSUSD	12/5/12
2	Su Akyuz		218 DANA AVE SJ 95126	408 279 0353	K	TRACE	12/5/12
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Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Shannon Andrews		901 Arnold Way San Jose, CA 95128	(408) 292-0848	1 st	Campbell	12/6/12
2	Shannon Andrews		901 Arnold Way San Jose, CA 95128	(408) 292-0848	6 th	Campbell	12/6/12
3	DEBORAH Lew		1505 RHINECLIFF WAY SAN JOSE CA 95126	408- 564-4113	5 th	Campbell Union	12/6/12
4	Michelle Holt		1243 Weathersfield Way San Jose, CA 95118	408-265- 1160	6 th	San Jose Castillero	12/6/12
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Petición para crear la Escuela Discovery Charter School II

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one signature per child

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1	Rebecca Rountree		4029 Briarglen Dr. ST 95118	408 445-8798	4	Reed	12/6/12
2	Rebecca Rountree		4029 Briarglen Dr. ST 95118	408 445-8798	2	Reed	12/6/12
3	Larissa Ramos		3918 El Coral Way San Jose, CA 95118	408 531-7182	4	Hacienda Reed (neighborhood)	12/6/12
4	Larissa Ramos		3918 El Coral Way San Jose, CA 95118	408 531-7187	2	Hacienda / Reed	12/6/12
5	Anna Lilly		5888 Chesbro Ave San Jose, CA 95127		4	Stimbaice	12/6/12
6	Anna Lilly		5888 Chesbro Ave San Jose, CA		K	Stimbaice	12/6/12

Petición para crear la Escuela Discovery Charter School II

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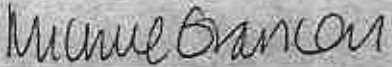
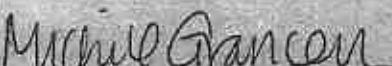
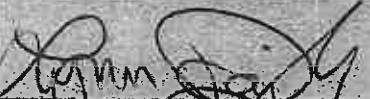
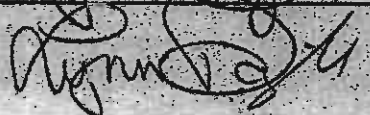
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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Jane Hintz	Jane Hintz	2029 Emory Street SJ, CA 95128	408 985- 9535	6	Trace Elementary	12/4/12
2	Jane Hintz	Jane Hintz	2029 Emory Street SJ, CA 95128	408 985- 9535	4	Trace Elementary	12/4/12
3	Lori Katcher	Lori Katcher	882 Schiele Ave SJ, CA 95126	408.568.2511	6	Trace Elementary	12/5/12
4	Lori Katcher	Lori Katcher	882 Schiele Ave SJ, CA 95126	408.568.2511	2	Trace Elementary	12/5/12
5	Melissa Orlando	Melissa Orlando	2138 Redbush Terrace SAN JOSE, CA 95128	408 940 8185	6	Trace Elementary	12/5/12
6	Melissa Orlando	Melissa Orlando	2138 Redbush Terrace SAN JOSE, CA 95128	408 940- 8185	4	Trace Elementary	12/5/12

Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

Los peticionarios que firman abajo, certifican que (1) son padres de familia o guardianes con un interés auténtico en que su(s) hijo(s) o protegido(s) atiendan la escuela Discovery Charter School II y (2) han leído (o se les ha leído) un resumen de la petición que describe adecuadamente y apropiadamente el programa de educación de la escuela Discovery Charter School II y (3) entienden que el documento esta disponible en <http://www.discoverytwo.org/> y en la oficina de la escuela Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. Por lo tanto, los peticionarios afirman que el estatuto adjunto merece consideración y piden a la Junta Directiva Escolar del Distrito Escolar Unificado de San Jose que lo apruebe según lo establece la Ley Educativa 47605.6. para permitir la creación de la escuela Discovery Charter School II. Los peticionarios autorizan al Equipo Fundador de dicha escuela a negociar las enmiendas de la petición adjunta y hacer lo necesario para asegurar su aprobación por parte de la Junta Escolar del Distrito Escolar Unificado de San Jose. La página de firmas estará adjunta a la petición en el momento de firmar.

	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Jolan Szoboszlaj		1348 Sierra Ave San Jose CA 95126	(408) 457-4051	5	San Jose Unified	12/5/12
2	Jolan Szoboszlaj		1348 Sierra Ave San Jose CA 95126	(408) 457-4051	1	San Jose Unified	12/5/12
3	Michele Grancell		3434 Flora Vista Ave. Santa Clara 95051	(408) 241-3188	TK	Santa Clara Unified	12/5/12
4	Michele Grancell		3434 Flora Vista Ave. Santa Clara 95051	(408) 241-3188	3	Santa Clara Unified	12/5/12
5	LYNN DAIGLE		1599 Martin Ave. San Jose, 95126	(650) 776- 6977 (cell)	K	San Jose Unified	12/6/12
6	LYNN DAIGLE		1599 Martin Ave. San Jose 95126	(650) 776- 6977 (cell)	2	San Jose Unified	12/6/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

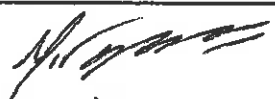

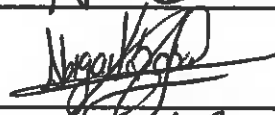



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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Stephanie HARRISON	<i>Stephanie</i>	495 Century Drive Campbell, CA 95008	408-916- 8609	K	Campbell's Union	12/5/12
2	Lorena Castro-Rosso	<i>Lorena Castro</i>	935 Meridian Ave. San Jose, CA 95126	408-417- 0461	K	Campbell	12/5/12
3	Lorena Castro-Rosso	<i>Lorena Castro</i>	935 Meridian Ave. San Jose, CA 95126	408-417- 0461	4 th	Campbell	12/5/12
4	Lorena Castro-Rosso	<i>Lorena Castro</i>	935 Meridian Ave San Jose, CA 95126	408-417 0461	6 th	Campbell	12/5/12
5	Lani Lau	<i>Lani Lau</i>	86 Glen Eyric Ave San Jose CA 95125	831-345. 1501	1 ST	SJ. unified Wilson Glen Elementary	12/5/12
6	Jim Genshew	<i>Jim Genshew</i>	18644 Devon Ave. SARATOGA, CA 95070	408-374 7575	6	Campbell	12/5/12

PETITION FOR THE ESTABLISHMENT DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.




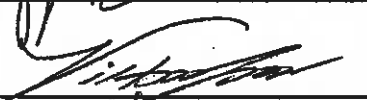


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1	Monica Miranda		102 Wood Birch Wood Ct Los gatos	(786) 594 15 06	2 nd grade	Los gatos unified	12-6-12
2	SONIA MARTINEZ		34297 EUCALYPTUS TER. FREMONT, CA, 94555	(408) 813 4863	TK	FREMONT UNIFIED	12-6-12
3	Dulce Abigail Sosa		4325 Renaissance Dr. Apt 101 San Jose Ca. 95134	(408) 896 6774	3 rd grade	Santa Clara	12-06-12
4	Dulce A Sosa		4325 Renaissance Dr. Apt 101 San Jose ca. 95134	(408) 896 6774	Kindergarten	Santa Clara.	12-06-12
5	Anna Pontaze		1883 Agnew Road #434 Santa Clara, CA 95054	(904) 861 80 93	TK	Santa Clara	12/06/12
6	Ivy Hop King		752 Silver Pine Ct.	408-735-5024	2 nd	SCUD	12/06/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.





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1	Tom Sromek		14901 Ronda Dr. SJ	408-628-4721	4	Union	12/5/12
2	Jennifer Biraban		Campbell, CA 1153 Lovell Ave 95008	408-202- 1743	6	Campbell	12/5/12
3	Jennifer Biraban		1153 Lovell Ave Campbell, CA 95008	408-202- 1743	3	Campbell	12/5/12
4	Victoria Hata		885 Frederick Commons San Jose, CA 95126	650.296.9203	1	SJUSD: Trace Elementary	12/5/ 2012
5	Nicole Razavi		1501 De Anza way San Jose, CA 95125	408-445-1800	1	Campbell	12/5/12
6	Nicole Razavi		1501 De Anza way San Jose, CA 95125	408-445-1800	5	Campbell	12/5/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.





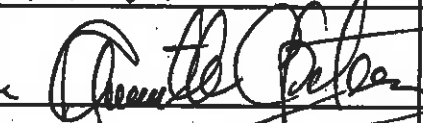
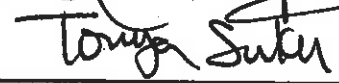
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1	NISHA Ferrante		2736 COIT DR San Jose, CA 95124	408-480 2922	K	Cambrian	12/5/12
2	Catherine Little		1945 White Oaks Campbell CA 95008	408 420 9555	K	Cambrian	12 5 12
3	Catherine Little		"	"	3rd	"	"
4	KARIN IKAVALKO		435 N 2nd St #313 San Jose CA 95112	408 429 9373	TK	Grant	12/5/12
5	Paige Dionne	E. Paige C. Dionne	2360 DeVarona Place Santa Clara, Ca 95050	713 302-9676		Santa Clara	12/5/12
6	Tonya Suker	Tonya Suker	5089 Alan Ave. San Jose, CA 95124	408-723- 6379	1st	Union SD (Noddin)	12-5-12

PETITION FOR THE ESTABLISHMENT DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

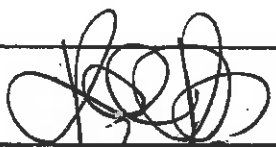




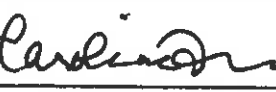
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1	Michelle Husain		5785 Rachel Ct, San Jose CA 95123	415- 971-3738	K	Orkney ridge	12/4/12
2	Rubilene Noguera		813 Font Ter. San Jose, CA 95126	415-244- 7012	1st	San Jose Unified	12/4/12
3	Margaret La Barbera		1426 Fruitdale Ave. San Jose, CA 95128	408-287- 2813	6th	Campbell	12/5/12
4	Margaret La Barbera		1426 Fruitdale Ave. San Jose, CA 95128	408-287- 2813	5th	Campbell	12/5/12
5	AMIN HAN PIETERSEN		654 Rebecca Way 408 S.J. Ca 95117	408 249-3351	5th	Moneland	12/5/12
6	Tonya Suker		5089 Alan Ave. San Jose, CA 95124	408- 723-6379	6th	Union SD (Noddin)	12/5/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.







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1	VIKTOR OELSNER		2261 FAIRHILL AVE, SAN JOSE CA 95125	408 203 3436	2	BOOKSIN	12.05.12
2	ASTA OELSNER		- - -	- - -	TK	- - -	12.05.12
3	MAGNUS OELSNER		- - -	- - -	K	- - -	12.05.12
4	Gabriela Guerrero		1400 Bowe Ave. Santa Clara	408-250- 7498	2	Santa Clara School District	12-5-12
5	Gabriela Guerrero		ccc	cc	TK	Santa Clara School District	12-5-12
6	Caroline Forman		1312 Singletary Ave. San Jose, CA 95126	720-291-4645 408-840-2187	TK	Trace	12-5-12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.







Los peticionarios que firman abajo, certifican que (1) son padres de familia o guardianes con un interés auténtico en que su(s) hijo(s) o protegido(s) atiendan la escuela Discovery Charter School II y (2) han leído (o se les ha leído) un resumen de la petición que describe adecuadamente y apropiadamente el programa de educación de la escuela Discovery Charter School II y (3) entienden que el documento esta disponible en <http://www.discoverytwo.org/> y en la oficina de la escuela Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. Por lo tanto, los peticionarios afirman que el estatuto adjunto merece consideración y piden a la Junta Directiva Escolar del Distrito Escolar Unificado de San Jose que lo apruebe según lo establece la Ley Educativa 47605.6. para permitir la creación de la escuela Discovery Charter School II. Los peticionarios autorizan al Equipo Fundador de dicha escuela a negociar las enmiendas de la petición adjunta y hacer lo necesario para asegurar su aprobación por parte de la Junta Escolar del Distrito Escolar Unificado de San Jose. La página de firmas estará adjunta a la petición en el momento de firmar.

	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Erin Robbins		1741 Hudson DR. San Jose, CA 95124	(408) 979-0981	2 nd	SJUSD Booksin	12/5/12
2	Erin Robbins		1741 Hudson DR. San Jose, CA 95124	(408) 979-0981	1 st	SJUSD Booksin	12/5/12
3	Julian Jaramillo		439 Camille Cir #16 San Jose, CA 95134	408 564 2445	2 nd	San Ju Clara	12/5/12
4	Julian Jaramillo		439 Camille Cir #16 San Jose, CA 95134	408 564 2445	TK	San Ju Clara	12/5/12
5	Lila Lam		149 N. 2nd St. Campbell, CA 95008	408 871-8062	4 th	Campbell	12/5/12
6	Lila Lam		149 N. 2nd St. Campbell, CA 95008	408 871-8062	2 nd	Campbell	12/8/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.


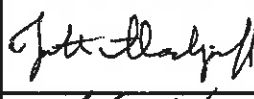
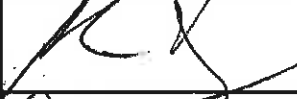



Los peticionarios que firman abajo, certifican que (1) son padres de familia o guardlanes con un interés auténtico en que su(s) hijo(s) o protegido(s) atiendan la escuela Discovery Charter School II y (2) han leído (o se les ha leído) un resumen de la petición que describe adecuadamente y apropiadamente el programa de educación de la escuela Discovery Charter School II y (3) entienden que el documento esta disponible en <http://www.discoverytwo.org/> y en la oficina de la escuela Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. Por lo tanto, los peticionarios afirman que el estatuto adjunto merece consideración y piden a la Junta Directiva Escolar del Distrito Escolar Unificado de San Jose que lo apruebe según lo establece la Ley Educativa 47605.6. para permitir la creación de la escuela Discovery Charter School II. Los peticionarios autorizan al Equipo Fundador de dicha escuela a negociar las enmiendas de la petición adjunta y hacer lo necesario para asegurar su aprobación por parte de la Junta Escolar del Distrito Escolar Unificado de San Jose. La página de firmas estará adjunta a la petición en el momento de firmar.

	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	BRETT SEIBOLD		3465 NOTRE DAME SANTA CLARA, CA	408 984-4840	K	BREARWOOD (SANTA CLARA UNIFIED)	12/5/12
2	Terrí Hauschild		1256 FREMONT ST SAN JOSE CA 95126	408- 910-3327	K	SJU TRACE	12/5/12
3	Terrí Hauschild		1256 FREMONT ST SAN JOSE CA 95126	408- 910-3327	K	SJU TRACE	12/5/12
4	Sandy Doughty		5060 Wayland Ave San Jose CA 95118	408 979-0134	TK	SJSU Almaden	12/5/12
5	Ed Hecht		879 S. Daniel Way San Jose, CA 95128	408 249-3277	K	CAMPBELL	12/5/12
6	SUDEEP KHURANJIA		4425 ALMORE ST SANTA CLARA, CA	408- 868-9257	3-3	SANTA CLARA Schd. Dist.	12/5/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.




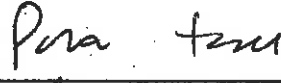
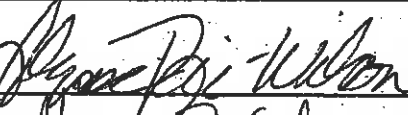

Los peticionarios que firman abajo, certifican que (1) son padres de familia o guardianes con un interés auténtico en que su(s) hijo(s) o protegido(s) atiendan la escuela Discovery Charter School II y (2) han leído (o se les ha leído) un resumen de la petición que describe adecuadamente y apropiadamente el programa de educación de la escuela Discovery Charter School II y (3) entienden que el documento esta disponible en <http://www.discoverytwo.org/> y en la oficina de la escuela Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. Por lo tanto, los peticionarios afirman que el estatuto adjunto merece consideración y piden a la Junta Directiva Escolar del Distrito Escolar Unificado de San Jose que lo apruebe según lo establece la Ley Educativa 47605.6. para permitir la creación de la escuela Discovery Charter School II. Los peticionarios autorizan al Equipo Fundador de dicha escuela a negociar las enmiendas de la petición adjunta y hacer lo necesario para asegurar su aprobación por parte de la Junta Escolar del Distrito Escolar Unificado de San Jose. La página de firmas estará adjunta a la petición en el momento de firmar.

	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Jeanette Aladjoff		112 Belwood Ln Los Gatos, CA 95032	650-544-9585	4th	Noddin Union	12/5/12
2	Jeanette Aladjoff		112 Belwood Ln Los Gatos, CA 95032	650-544-9585	5th	Noddin Union	12/5/12
3	Rhea Donley		200 Bland Ave. Campbell, CA 95008	408-420-4495	K	Campbell Campbell Union	12/5/12
4	Amanda Urquhart		804 Onyx Ct. San Jose, CA 95117	408-984-1256	J	Campbell Union	12/5/12
5	Amanda Urquhart		804 Onyx Ct. San Jose, CA 95117	408-984-1256	K	Campbell Union	12/5/12
6	OLIVIA SUDEEP		4475 FILMORE ST SANTA CARA	408-250-6880	1st 3rd	SANTA CARA	12/5/12

PETITION FOR THE ESTABLISHMENT DISCOVERY CHARTER SCHOOL-II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

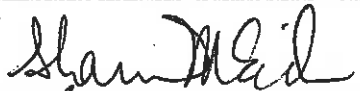


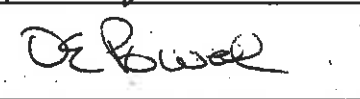
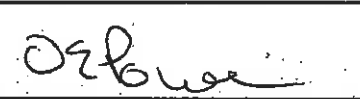

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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	DAVID STERN		4930 MANITOBA DR	(408) 370-7753	4	CAMPBELL	12/5
2	DAVID STERN		4930 MANITOBA DR	(408) 370-2753	1	CAMPBELL	12/5
3	PATRICK TODD		362 HARRISON AVE	408. 374.5474	6	CAMPBELL	12/5
4	PATRICK TODD		362 HARRISON AVE	408. 374.5474	1	CAMPBELL	12/5
5	Alyssa Rice-Wilson		1432 Alegria Loop SJ, CA 95128	408-981-6263	2	Campbell	12/5
6	Shann Eide		1484 Rojo Pl San Jose CA 95128	408 757 6802	2	Campbell	12/5

PETITION FOR THE ESTABLISHMENT . DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

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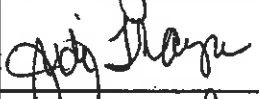
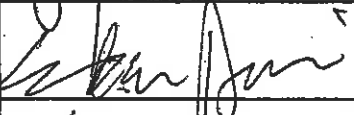



	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Shann Eide		1484 Rojo Pl San Jose, CA 95128	408 757 6802	K	Campbell	12/5
2	Ted Bonetti		5128 Elrose Ave San Jose CA 95124	408 979 9311	4th	Union	12/5
3	Ted Bonetti		5128 Elrose Ave San Jose CA 95124	408 979 9311	6th	Union	12/5
4	Debbie Powell		1766 Whispering Willow Rd San Jose CA	408- 445-9380	2	San Jose	12/5
5	Debbie Powell		1766 Whispering San Jose	408- 445-9380	2	San Jose	12/5
6	Kelley Reinhard		180 S. 1st St. Campbell CA	408-394-8881	5	Campbell	12/5

PETITION FOR THE ESTABLISHMENT DISCOVERY CHARTER SCHOOL II

Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

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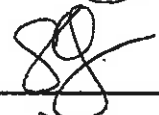



	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Kelley Reinhard		1805 1st St. Campbell CA 95008	408-374- 8861	2	Campbell USD	12/5
2	Judi Thayne		1442 Inwood Ct. Campbell, CA 95008	408-364- 1530	5	Campbell USD	12/5
3	Sundar Dorairaj		318 Harrison Ave Campbell CA 95008	408-679- 1985	2	Campbell USD	12/5
4	Sundar Dorairaj		318 Harrison Ave Campbell CA 95008	408-679- 1985	5	Campbell USD	12/5
5	Aime O'Donovan		4471 Townick Ave San Jose, CA 95124	408- 371-8053	2	Union	12/5
6	Aime O'Donovan		4471 Townick Ave San Jose, CA 95124	408- 371-8053	7	Union	12/5

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II

Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Katja Wick		2948 Jessie Ct, San Jose	408 8799894	2nd	Cambrian	12/4/12
2	S. King		2906 Jessie Ct	408 8385163	3rd	Cambrian	12/4/12
3	S. King		2906 Jessie Ct.	408 8385163	4th	Cambrian	12/4/12
4	Katja Wick		2948 Jessie Ct, San Jose	408 8799894	2nd	Cambrian	12/4/12
5	Tania Vong		5046 Guzman Dr. San Jose	408-457-9275	2nd	Oak Grove	12/5/12
6	Vanessa Birkland		1766 Comstock Lane San Jose 95124	408-613-2489	Kindergarten	Booksin	12/5/12

PETITION FOR THE ESTABLISHMENT OF JF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.








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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Tova Sweet	Tova A Svat	2244 Newhall Street San Jose, CA 95128	408 829 8934	2nd	Trace San Jose Unified	12/5/12
2	Becky Dinski	Becky Dinski	581 Pamlar Ave. San Jose, CA 95128	408- 885- 2210	5th	Campbell Union	12/5/12
3	Susan Bell	S Bell	245 Central Ave. Sunnyvale, CA 94086	408-735- 1226	5th	Sunnyvale (Ellis)	12/5/12
4	Tista Kapoor	Tista Kapoor	2749 Taft Ave, Santa Clara, CA 95051	408-249- 7265	1st	Santa Clara	12/5/12
5	Chin Ah Kim	Chin Ah Kim	1700 Luxor Ct San Jose, CA 95126	408-292- 1927	K	Trace (San Jose)	12/5/12
6	Chin Ah Kim	Chin Ah Kim	1700 Luxor Ct San Jose, CA 95126	408-292- 1927	3rd	Trace (San Jose)	12/5/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	ALEXANDER IGNATOVSKY		3917 HOMEPARK CT. SAN JOSE, CA 95121	408-761- 6252	K	MONTGOMERY EVERGREEN	12/5/12
2	ALEXANDER IGNATOVSKY		3917 HOMEPARK CT. SAN JOSE, CA 95121	408-761- 6252	3	MONTGOMERY EVERGREEN	12/5/12
3	Wayne Loo Bourrow		1754 Valpico Dr San Jose, CA 95124	408-265-6919	6	San Jose Unified Schallenbergson	12/6/12
4	Ehsaneh Sadr		1191 Capri Drive Campbell, CA 95008	408-306-2559	 4	Campbell	12/6/12
5	Jamie Sizelove		136 Haver Hill Ct San Jose CA 95139	408-439-3673	3-6-K	Morgan Hill	12/6/12
6	Ehsaneh Sadr		1191 Capri Drive Campbell, CA 95008	408-306-2559	3	Campbell	12/6/12

PETITION FOR THE ESTABLISHMENT DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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1	Tamara Goldie	Noelie	416 Mayellen Ave	408-921-3119	3rd	Trace	12/5/12
2	Tamara Goldie	Noelie	416 Mayellen Ave	408-921-3119	TTC	Trace	12/5/12
3	Alra Wagner	Alra Wagner	1409 McDaniel Ave ^{SJ} 95126	408 476 1419	4	Trace	12/5/12
4	Sara Tipton	Sara Liu	998 Princess Anne Dr ^{SJ} 95128	(408) 509-1427	Kindergarten	Sherman OAKS	12/5/12
5	VIKRAM TOLANI	Dhean He	4809 Alexandra Ln. ^{SJ} 95129	(408) 2557102	Kindergarten	Cupertino	12/5/12
6	VIKRAM TOLANI	Dhean He	4809 Alexandra Ln. ^{SJ} 95129	(408) 2557102	2nd	Cupertino	12/5/12

PETITION FOR THE ESTABLISHMENT DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Aaron Kaminsky		3397 Jarvis Ave San Jose, CA 95118	650-396-9895	1 st	San Jose ^{Reed} Unified	12/5/12
2	Connie Kaminsky		3397 Jarvis Ave. San Jose, CA 95118	408)727494	Kinder	San Jose ^{Reed} Unified	12/5/12
3	Atul Kshatsiya		662 Picasso Terrace, Sunnyvale CA 94087	408 245 2407	1 st	Cupertino Union	12/5/12
4	Atul Kshatsiya		662 Picasso Terrace, Sunnyvale CA 94087	408 245 2407	6 th	Cupertino Union	12/5/12
5	Anupama Rai	Anupama Rai	20267 Pinntage Pkwy Cupertino, CA 95014	847-687 -6573	3 rd	Cupertino Union	12/5/12
6	Connie Dewitt		1045 16 th St. San Jose CA 95112	408-286- 6956	4 th	Horace Mann San Jose Unified	12/5/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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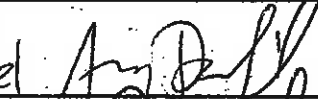

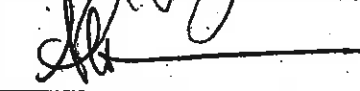
	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Nisha Ferrante		2730 COIT DR San Jose, CA 95124	408-480- 2922	2nd	Cambrian	12/5/12
2	Dena Sanchez		703 Star Jasmine Ct San Jose, CA 95131	408-435 2829	2nd	Orchard	12/5/12
3	Lisa Koofbourran		1754 Valpico DR San Jose, CA 95124	408-621- 3230	6th	St. J. Schallenberg	12/5/12
4	Lily Soni		403 California St. Campbell, CA 95008	510-209- 6637	1st	Capri	12/5/12
5	Anne Marie Weiss		3175 Temple Ct Santa Clara CA 95057	408-984- 5928	2nd & 4th	Santa Clara USD	12/5/12
6	Eron Villarreal		568 Alberta Ave. Sunnyvale, CA 94087	408-805- 5534	1st	Sunnyvale	12/5/2012

PETITION FOR THE ESTABLISHMENT DISCOVERY CHARTER SCHOOL II

Petición para crear la Escuela Discovery Charter School II

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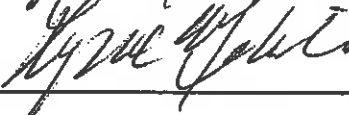
	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Consuela Collins		143 Redding Rd Campbell CA 95008	408-679-2734	1	Cambrian	12-5-12
2	Consuela Collins		143 Redding Rd Campbell CA 95008	408 679 2734	5	Cambrian	12-5-12
3	Consuela Collins		143 Redding Rd Campbell CA 95008	408-679-2734	7	Cambrian	12-5-12
4	Amy Dabiel		1601 Walters Ave Campbell, CA 95008	408-655-9300	4	Campbell	12/5/12
5	Amy Dabiel		1601 Walters Ave Campbell, CA 95008	408-655-9300	2	Campbell	12/5/12
6	Alena Campagna		226 Bret Harte Ct. Santa Clara, CA 95050	408-248-2728	5	Campbell	12/5/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II

Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.

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1	Lynae Morbio		534 S. 13th St SJ, CA 95112	408 759 0298	4 th	Horace Mann	12/5/12
2	↓		↓	↓	3 rd	Horace Mann	12/5/12
3	↓		↓	↓	Transitional K	Horace Mann	12/5/12
4							
5							
6							

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II

Petición para crear la Escuela Discovery Charter School II

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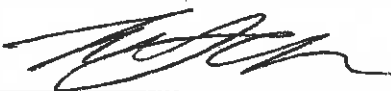



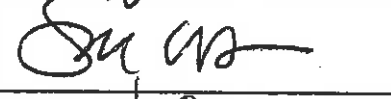

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1	Abhay Saswade		1591 S Wolfe Rd Sunnyvale, CA 94087	408-576-5700	2	Cupertino Union	12/5/12
2	Abhay Saswade		— " —	— " —	7th	— " —	12/5/12
3	Dhruv Patel		20542 Shady oakh Cupertino CA 95014	408 242 2676	2	Cupertino Union	12/5/12
4	Dhruv Patel		— " —	— " —	6th	— " —	12/5/12
5							
6							

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
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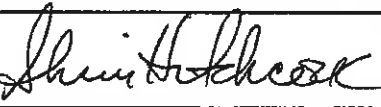
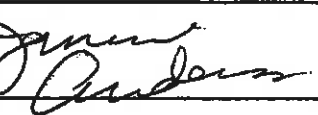
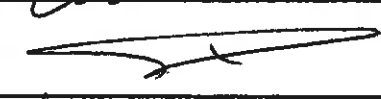


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1	Traci Kohler		910 Nevada Ave San Jose, CA 95128	408-938-0863	4 th	Willow Glen Elementary	12-6-12
2	Traci Kohler		910 Nevada Ave San Jose CA 95128	408-938-0863	6 th	Willow Glen middle	12-6-12
3	Stacy Stafford		1335 Vornau Ave	408-771-6200	6 th	Willow Glen Middle	12-6-12
4	Therese Slamon		1510 Lupton Ave	408 284 9878	6 th	Willow Glen	12/6/12
5	Sara Taverriese		1290 Settle Ave. San Jose CA 95125	408-998-2628	6 th	Willow Glen	12-6-12
6	Heidi Olander		1060 Willow Glen Way San Jose CA 95128	408-680-9559	6 th	Willow Glen	12-6-12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	Laura Muth		1516 Calle de Arda San Jose CA 95118	408 791 907	4	Union	12/6/12
2	Sheri Hitchcock		1687 Branham Park Pl San Jose CA 95118	650-868-5800	4	Union	12/6/12
3	Janine Andersen		1500 Cupton Ave SJ, CA 95125	408-271- 9386	5	SJ Unified	12/16/12
4	Amir Seag		2460 Marsha Way SJ, CA 95125	408 5156657	4	SJ Unified	12/6/12
5	Lisa Levenberg		5489 Dent Ave San Jose CA 95118	408 761- 5644	5	Union	12/7/12
6	MINDY ALEXANDRO- KAJIKAMI		5409 Mary Jo Way San Jose, CA 95124	408 265 4324	5	Union	12/7/12

PETITION FOR THE ESTABLISHMENT DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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1	Kimberly Dill		1018 Laureldale Lane San Jose CA 95136	408 375-7078	2nd	Terrell SJUSD	12/5/12
2	Jennifer Dittmer		1778 Chevalier Dr. San Jose, CA 95124	408 723- 7538	1st	Nodden Union S.D.	12/5/12
3	Jennifer Dittmer		1778 Chevalier Dr. San Jose, CA 95124	408 - 723-7538	4th	Nodden Union S.D.	12/5/12
4	STEVE MILLER		1025 LAURELDALE DR SAN JOSE, CA 95136	408-375-6987	4th	TERREL	12/5/12
5	STEVE MILLER		1025 LAURELDALE LN SAN JOSE CA. 95136	408 375-6987	TK	TERREL	12/5/12
6							

PETITION FOR THE ESTABLISHMENT DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

The petitioners listed below certify that (1) they are parents or guardians who are meaningfully interested in having their child(ren) or ward(s) attend the Discovery Charter School II and (2) have read (or has been read) a summary of the charter petition that adequately and appropriately describes the education program of Discovery Charter School II and (3) they understand that the full text of the charter is available at <http://www.discoverytwo.org/> and at the offices of Discovery Charter School, 4021 Teale Avenue, San Jose, CA 95117. As such, petitioners believe that the attached charter merits consideration and hereby petition the governing board of San Jose Unified School District to grant approval of the charter pursuant to Education Code Section 47605.6. to enable the creation of Discovery Charter School II. The petitioners authorize the Discovery Charter School Board of Directors to negotiate any amendments to the attached charter necessary to secure approval by San Jose Unified School District. Signature page is attached to petition upon signature.


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	NAME <i>Nombre</i>	SIGNATURE <i>Firma</i>	ADDRESS <i>Dirección</i>	PHONE NUMBER <i>número de teléfono</i>	STUDENT GRADE IN 2013-2014 SCHOOL YEAR <i>Grado del estudiante</i>	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE <i>Fecha</i>
1	Trista Gladstone	<i>Trista Gladstone</i>	3974 Thousand Oaks San Jose CA 95136	(408) 448 1430	(Devor) 3rd	Terrell SJUSD	12-5-12
2	Trista Gladstone	<i>Trista Gladstone</i>	3974 Thousand Oaks San Jose CA 95136	(408) 448-1430	(Devor) 1st	Terrell SJUSD	12-5-12
3							
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PETITION FOR THE ESTABLISHMENT DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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1	Heather Bellman		2213 La Tenace Cir #108 San Jose CA 95128	383-1393	K	Allen @ stiesbeck SJUSD	12-5-12
2							
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PETITION FOR THE ESTABLISHMENT DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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1	Veronica Marquez		2488 Karen Dr #4 Santa Clara CA 95050	408-640-7736	4	Santa Clara Unified	12-6-12
2	Anna Frouen		625 Arrowhead Dr. San Jose CA 95123	408-838-0773	2	Oak Grove	12-6-12
3	Stephanie Berg		48 Mariposa Ave Los Gatos CA 95030	408-438-1712	5	Los Gatos	12-6-12
4	Stephanie Berg		48 Mariposa Ave Los Gatos CA 95030	408-438-1712	3	Los Gatos	12-6-12
5	Suzanne Wilson		1652 Park Ave 95126	390- 0101	2	Hacienda San Jose	12/ 16/12
6							

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
 Petición para crear la Escuela Discovery Charter School II

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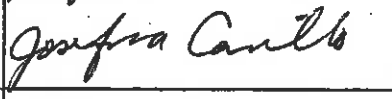
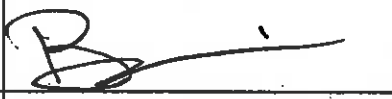


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1	Shoshannah Miller		1648 Corte De Pons San Jose 95124	(408) 267-2259	Kindergarten	Union	12/7/12
2	Shoshannah Miller		1648 Corte De Pons San Jose 95124	(408) 267-2259	2 nd	Union	12/7/12
3	Naami Salawe		275 Bellevue DR LG 95132	408 205-3095	2 nd	Union	12/7/12
4	Naami Salawe		275 Bellevue DR LG 95132	408 205-3095	5 th	Union	12/7/12
5	Rebecca Dishobky		1305 Yosemite Ave. San Jose, CA 95126	408-293-9855	5 th	SJUSD Trace	12/7/12
6	Rebecca Dishobky		1305 Yosemite Avenue, CA 95126	408-293-9855	2 nd	SJUSD Trace	12/7/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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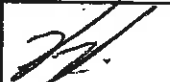
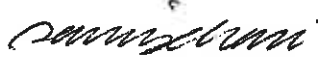


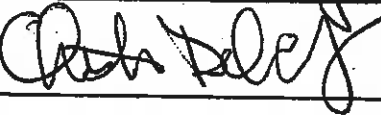
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1	Josefina Carrillo		165 Blossom Hill Rd #374	(408) 207-3598	1st	Franklyn	12/6/12
2	Josefina Carrillo		165 Blossom Hill Rd #374	(408) 207-3598	4th	Franklyn	12/6/12
3	Josefina Carrillo		165 Blossom Hill Rd #374	(408) 207-3598	6th	Franklyn	12/6/12
4	Bart Zisa		138 Lester LN #95032	408 341 9472	K	LGUSD	12/6/12
5	Bart Zisa		138 Lester LN #95032	408 341 9472	1	LGUSD	12/6/12
6	Bart Zisa		138 Lester LN #95032	408 341 9472	3	LGUSD	12/6/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
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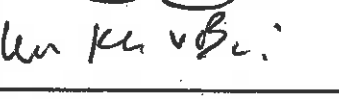
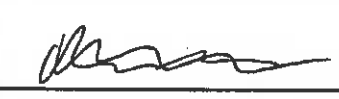


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1	Brian Pietsch		230 Winchester Ct Foster City CA 94404	650 3497553	K	San Mateo- Foster City	12/6/12
2	SAMIR GEHANI		22373 RAMONA CT, CUPERTINO, CA 95014	408-242-4854	1 st	CUPERTINO UNION	12/6/12
3	Anan + Simone		132, Reddy RA Campbell 95008	408 505 0596	2 nd	Cambrian	12/6/12
4	Christie DeLaGuz		512 E. Taylor St San Jose, CA 95112	(408) 891- 0085	2 nd	Grant	12/6/12
5	Christie DeLaGuz		512 E Taylor St San Jose, CA 95112	408 891- 0085	1 st	Bennett	12/6/12
6							

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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	NAME Nombre	SIGNATURE Firma	ADDRESS Dirección	PHONE NUMBER número de teléfono	STUDENT GRADE IN 2013-2014 SCHOOL YEAR Grado del estudiante	NAME OF NEIGHBOR- HOOD DISTRICT SCHOOL	DATE Fecha
1	VICTOR ENRIQUEZ		21500 BERTRAM RD SAN JOSE CA 95111	(408) 239-6058	2nd 5th	GRAY STONE	12/6/12
2	Vyen Khanh Van Bai		21500 BERTRAM RD SAN JOSE CA, 95111	(408) 335 9815	5th	GRAY STONE	12/6/12
3	Doreen Henry		1429 Blackhawk Sunnyvale, CA	408-230-9914	5th		
4	Christina Long		1368 JOHNSON AVE CUPERTINO CA 95001	408 470 9208	1st 5th	Cupertino Union School	12/7/12
5	Jeanna Wrie		1235 Pecos Way Sunnyvale, CA 94089	408 743-5692	Kindergarten	Sunnyvale	12-6-12
6							

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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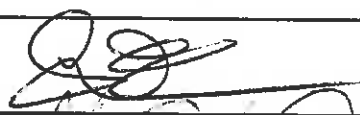

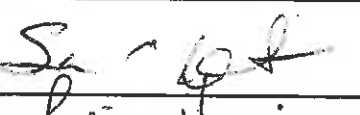
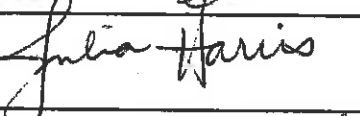
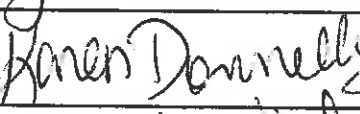
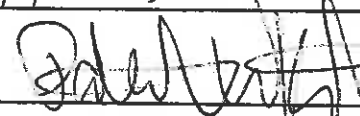
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	MARIELA SERRA	<i>[Signature]</i>	2158 ESPERANZA AVG SANTA CLARA CA 95054	(408) 8 408-2100 492-1266	3	Hugo Elementary	12-7-12
1	Tatiana Braga	<i>[Signature]</i>	1524 Vista Club Cir - 201, Santa Clara, CA 95054	(408) 748-1621	3	Hughes Elementary	12-7-12
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PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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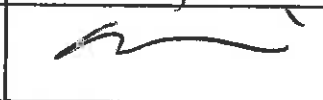




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1	CHRISTOPHER DILLEY		216 N CRAWFORD AVE	408 832-4242	2	Alum Rock	12/5 2012
2	Unki Schone		14652 BERRY WAY	408 313-8115	K	Union Camp	12/6/12
3	Sara Quast		3581 Kilo Ave S.J. CA 95124	408 265-2307	K & 3	Cambrian	12/6/12
4	Julie Harris		1741 Hallmark SJ CA 95124	408 264-2474	K+4	Cambrian	12/6/12
5	Karen Donnelly		14322 Holden Ct. SAN JOSE, CA	408 559-1629	K+4	Union	12/6/12
6	ROBERT KINCAID		1464 BLACKSTONE AVE SAN JOSE CA 95128	408 698-5245	K-6	CAMBRIAN	12/6/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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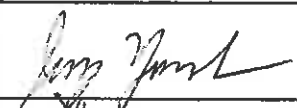


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1	Roxanne Faanes		1795 Willowhurst Ave	408-269-3212	K	Campbell	12/6/12
2	Nanyangsi		3186 Longdale Dr.	408-3345050	K, 2	Cambrian	12/6/12
3	Christine Wong		731 Moonglow Ct. San Jose, CA 95123	408-677-3813	K	^{Diablos} San Jose Valley Unified	12/7/12
4	Nicole Nguyen		1522 Hallbrook Dr. San Jose, CA 95118	(408) 910-5455	2	San Jose Unified	12/7
5	Heather Vestman		2245 Bayo Clara Cir M.H. CA 95037	408 971-7553	K, 3	Morgan Hill Unified	12/7
6	GENEVIEVE Coughlin		530 Railway Campbell 95008	408 489-4352	2	Campbell	12/7/12

PETITION FOR THE ESTABLISHMENT OF DISCOVERY CHARTER SCHOOL II
Petición para crear la Escuela Discovery Charter School II

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1	Kristina Kate	Kristina					
2	Jerry Yamok		4948 55 CA Durango River Ct.	(408) 205-4169	Pre School	SJ UNIFIED	12/7/12
3	Abbie Truitt		Lawrence Ten San Jose		Kindergarten	SJ unified	12/7/12
4	Amy Ho		4879 Danner Drive San Jose CA 95124	408) 506 4299	1st Grade	contin	12/7/12
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6							