

DUNHAM ELEMENTARY SCHOOL DISTRICT

Dunham Charter School

A Partial Conversion
Charter School

Petition for Charter Renewal:
July 1, 2020 – June 30, 2027

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CHARTER RENEWAL CRITERIA

To The Honorable Members of the Governing Board of the Dunham Elementary School District:

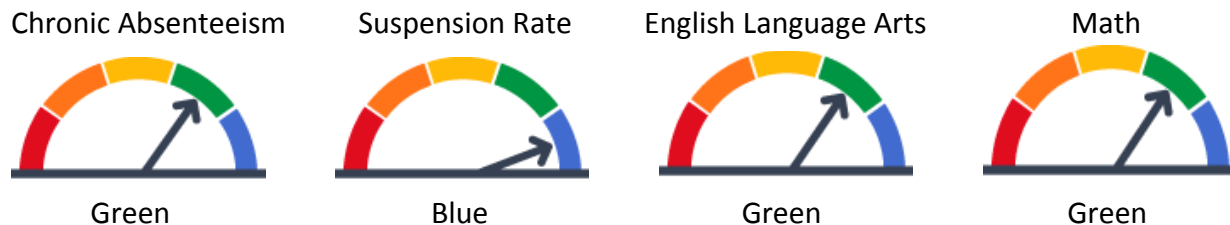
This letter summarizes how Dunham Charter School (“Charter”) has met the criteria set forth in the Education Code to require this charter petition renewal to be approved. We set forth the criteria below and explain in italics the evidence that these standards have been met or surpassed.

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

(i) The charter school has received the two highest performance levels schoolwide on all the state indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 for which it receives performance levels.

Dunham Charter School

2019 California School Dashboard Indicators



(ii) For all measurements of academic performance, the charter school has received performance levels schoolwide that are the same or higher than the state average and, for a majority of subgroups performing statewide below the state average in each respective year, received performance levels that are higher than the state average. . . .”

Dunham Charter School received performance levels schoolwide that are the same or higher than the state average and, for a majority of subgroups performing statewide below the state average in each respective year, received performance levels that are higher than the state average.

2019 California School Dashboard Indicators

Dunham Charter School

English Language Arts



Green

Math



Green

English Language Arts
Sub Group: White



Green

Math
Sub Group: White



Green

State of California

English Language Arts



Green

Math



Orange

English Language Arts
Sub Group: White



Green

Math
Sub Group: White



Green

Based on the above data alone, the Governing Board is barred from denying this renewal petition.

While there are additional criteria that a Board may consider when the above criteria has not been met, they are moot. Nonetheless, Dunham Elementary Charter School has met all these criteria as well:

“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 [Education Code section 47607(a)]. (Not applicable to renewals)

(4) The petition does not contain an affirmation of each of the conditions described in subdivision (e).

(5) The petition does not contain reasonably comprehensive descriptions of all of the elements set forth in Education Code section 47605(c)(5); Renewals of charters are governed by the standards and criteria described in Section 47605, and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed. Cal. Educ. Code §§ 47607, subd. (a)(2); (b).

None of these criteria for denial apply.

- *The soundness of the educational program that is provided is evidenced by California School Dashboard.*
- *The success of our school is evidenced by the California School Dashboard, and that the vast majority of our students are from out-of-district and seek us out.*
- *All required affirmations are included in this petition for renewal.*
- *Reasonably comprehensive descriptions of all new requirements since 2015 have been added to the petition.*

Finally, the governing board shall consider the past performance of the school's academics, finances, and operation in evaluating the likelihood of future success, along with future plans for improvement if any. Cal. Code Regs. tit. 5, § 11966.4.

This petition for the Charter’s renewal has met the necessary criteria to be approved for a seven year renewal. Dunham Charter School has operated a strong academic program with fiscally responsible practices since its inception. This petition allows for these practices and traditions to continue to the benefit of the Dunham Charter School community.

Thank you for your support of Dunham Elementary Charter School.

Submitted on June 1, 2020.

Daniel Hoffman

Daniel Hoffman, Superintendent
Dunham School District

D Moore

Damara Moore, District Legal Counsel

ELEMENT 1

EDUCATIONAL PROGRAM

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

~ California Education Code Section 47605(b)(5)(A)(i)

A description, for the charter school, of annual goals, for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals. – California Education Code Section 47605(b)(5)(A)(ii).

~ California Education Code Section 47605(b)(5)(A)(ii)

Dunham Charter School shall be a site-based traditional calendar charter school for approximately 180 elementary age students in grades transitional kindergarten (“TK”) through six. The District will continue to operate its traditional non-charter 6th grade program as well for students who are not interested in a charter school option. The Dunham Charter School will foster a learning environment where all students can achieve excellence in academics and be involved in a community of learners. Students will develop socially and emotionally within a safe and nurturing environment where they will be supported in their development as young learners. The Charter School will offer TK, the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate. The Charter School will comply with the age requirements for TK as set forth in Education Code Section 48000(c).

The Charter School will meet or exceed the required minimum number of school days and instructional minutes for each grade level. An attendance rate of 95% or higher is expected; students are required to attend a full day unless their absence is excused in keeping with state requirements.

VISION

Dunham Charter School's vision is a school community in which all members work collaboratively to ensure success for each individual. Honesty, ethical behavior, integrity, cooperation, and responsibility are valued and modeled throughout the school community. The District will ensure that adequate resources are provided for services necessary to promote success for each student. Decision-making is based upon a commitment to children, our school's number one priority. Students will master skills and knowledge based upon the California Standards and curriculum frameworks. They will develop the ability to work well with others as well as the ingenuity and creativity to be problem-solvers. The District will provide a well supported, well trained group of professional educators, who are committed to children and to their profession.

MISSION

In partnership with our families, Dunham Elementary School is committed to providing an educational experience that will ready students for successful living in the 21st Century.

WHOM THE SCHOOL IS ATTEMPTING TO EDUCATE

The students who attend the school come from a wide spectrum of socio-economic backgrounds. According to 2013 CBEDS data, the school serves a relatively diverse student body. The survey indicates the student population to be 75% Caucasian, 18% Hispanic, 4.7% Two or More Races, with the remaining 2% composed of Asian and American Indian students. 25% percent of all students in the school qualify as economically disadvantaged. School programs include RSP (Resource Specialist Program) RTI (Response to Intervention), ELD (English Language Development), and Library Services.

PHILOSOPHY – HOW LEARNING BEST OCCURS

Using a standards-based education, the Charter School's goal is to provide students with a foundation to help them develop into self-motivated, competent, and responsible citizens who will possess the habits, skills, and attitudes necessary to succeed in the 21st century because of our emphasis on:

- ▶Academic Excellence
- ▶Stewardship of the Environment
- ▶Development of Life Skills

To ensure this environment, an open-door policy will prevail, allowing all community members concerned with the well being of the students to share their ideas to improve the educational environment of the School.

ATTRIBUTES OF AN EDUCATED PERSON IN THE 21ST CENTURY

The Charter School identifies an educated person in the 21st century as one whom:

- Has a solid foundation in reading, writing, science, mathematics, and history.
- Thinks critically and initiates problem-solving strategies.
- Has the skill to be a productive, self-reliant worker, and cooperative group contributor.
- Can access and apply information from a variety of sources.
- Has the necessary computer skills to succeed in a competitive workforce.
- Possesses the skills to be successful in his/her career and civic life.
- Has an appreciation for diversity and respect for each person's uniqueness.
- Takes responsibility for the environment in the community and greater world.

The 6th grade Charter School program is designed as a bridge to a 21st Century learning environment. This technology intensive program is focused on "three c's," Communication, Creativity, and Collaboration. A variety of technological tools will be utilized for curriculum delivery, student assessment and production of schoolwork. In addition to the 21st Century Learner focus, students will have abundant opportunities to learn in the "real world" through a variety of field trips.

HOW LEARNING BEST OCCURS

The Charter offers all students, transitional kindergarten through sixth grade, a standards-based education providing the necessary foundations for a successful learning experience. The Charter's educational plan consists of a broad range of goals and objectives to meet the educational needs of all its students. These goals and objectives reflect the standards currently adopted by the State of California, as well as the State's curricular frameworks and sound, research-based educational practices. The school will continue to provide a rigorous academic program along with a fine arts program and environmental education.

The Charter will provide a curriculum that will allow students the opportunity to:

- Develop skills that meet their grade level standards.
- Use technology to enhance the learning process.
- Practice decision-making and problem-solving skills.
- Develop the ability to appreciate cultural diversity in the world.
- Participate in and understand a variety of cultural events, literature, and arts.
- Demonstrate their understanding of interdisciplinary concepts.

METHODS OF INSTRUCTION

The instructional structure will be flexible to meet the needs of individual students. The instructional program will provide for differentiation, flexible grouping, continuous progress, intellectual peer interaction, and a strong sense of community.

Instructional approaches may include but are not limited to the following:

- Student participation in many types of learning experiences.
- Strategies that emphasize deep learning, complex reasoning and differentiated instruction.
- Strategies that reinforce study and organizational skills.

- Cooperative learning whereby students consider ideas together with reasoning that includes the ability to compare, contrast, analyze, synthesize, evaluate and generalize.
- Emphasis on integration of math/science, the arts, character development, technology, and environmental stewardship.

CURRICULUM

Curriculum will be aligned to the above goals, to CA State Content Standards, the Common Core State Standards, and Next Generation Science Standards, and will include but not be limited to the following:

- Houghton Mifflin Language Arts TK-6
- Bridges Math (TK-5)
- College Preparatory Math (6)
- Full Option Science System (F.O.S.S.) TK-5
- Pearson Science (6)
- Write From the Beginning TK-6
- Writing By Design
- Organizing Student Thinking TK-6
- MacMillan Social Studies TK-3
- Houghton Mifflin Social Studies 4-6

ASPECTS OF THE EDUCATIONAL PROGRAM

Teachers are expected to possess and demonstrate the following professional competencies:

- Implement standards-based education in all core areas of the curriculum.
- Use curriculum materials and assessment practices that are aligned with the standards.
- Maintain emotionally and physically safe learning environments.
- Provide caring emotional support for all students
- Provide differentiated instruction including the use of scaffolding.
- Engage students in tasks requiring complex reasoning.
- Assign relevant homework linked to content standards and unit themes.

GOALS AND ACTIONS TO ACHIEVE THE EIGHT STATE PRIORITIES

Pursuant to Education Code Section 47605(b)(5)(A)(ii), the Charter School's annual goals to be achieved in the Eight State Priorities school-wide and for all pupil subgroups, as described in Education Code Section 52060(d), and specific annual actions to achieve those goals, can be found in the Charter School's Local Control and Accountability Plan (LCAP). The Charter School's current LCAP is on file with the District.

The Charter School will annually produce the LCAP using the template adopted by the State Board of Education pursuant to Education Code Section 47606.5. The LCAP will serve as the school's primary comprehensive planning tool. The Charter School shall submit the LCAP to the District and County Superintendent of Schools annually by July 1, as required by Education Code Section 47604.33.

RESPONSE TO INTERVENTION

Response to Intervention (RTI) has been implemented as a practice of providing high quality instruction and intervention matched to students' needs, frequent monitoring of progress to help make decisions about changes to instruction or goals, and using that data to help inform instruction.

Students will be assessed school-wide using periodic tests. Classroom teachers, instructional assistants, and the intervention specialist will provide intervention according to need.

ENGLISH LEARNERS

English learners will be supported with specifically designed academic instruction (SDAIE) to help develop their English skills and simultaneously address grade level content in the core curriculum. All classroom teachers will be certified in either SDAIE or CLAD. The State ELD Standards will be taught through the English/Language Arts Common Core content standards to ensure that English Learners develop proficiency in both the English language and the concepts and skills contained in the ELA standards. The Charter will provide intensive intervention programs to support second language learners who are below grade level.

Students will be reclassified according to their ELPAC (English Language Proficiency Assessment for California) scores, two years of Proficient scores on the California Assessment of Student Performance and Progress ("CAASPP") assessment system, as well as demonstration of meeting grade-level standards in the classroom.

Home Language Survey

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

ELPAC Testing

All students who indicate that their home language is other than English will be ELPAC tested within thirty days of initial enrollment¹ and annually thereafter between July 1st and October 21st until re-designated as fluent English proficient.

The Charter School will notify all parents of its responsibility for ELPAC testing and of ELPAC results within thirty days of receiving results from the publisher. The ELPAC shall be used to fulfill the requirements under the Elementary and Secondary Education ("ESEA") Act for annual English proficiency testing.

SPECIAL EDUCATION STUDENTS/ SECTION 504/ADA

¹ The thirty-day requirement applies to students who are entering a California public school for the first time or for students who have not yet been CELDT tested. All other students who have indicated a home language other than English will continue with annual CELDT testing based upon the date last tested at the prior school of enrollment.

The Charter will comply with state law, the IDEA, and Section 504 of the Americans with Disabilities Act to serve its individuals with exceptional needs. The Charter will work with the Special Education Local Plan Area (SELPA) to ensure that a free and appropriate education is provided to all students with disabilities. The Charter will comply with all applicable provisions of law and implement regulations related to the rights of disabled students and their parents. The Charter will adhere to the policies, procedures, and requirements of the SELPA Local Plan for Special Education. These requirements include methods to:

- Provide assurances that all eligible individuals with disabilities shall have access to appropriate special education programs and services within the Charter and the District.
- Provide assurances of its knowledge and understanding of applicable special education laws.
- Provide assurances that each certificated employee is appropriately credentialed to serve in his/her assignment.
- Follow all requirements of the SELPA Local Plan.
- Utilize SELPA approved forms.
- Design and implement Individual Education Program and instructional strategies according to individual student needs.

ELEMENT 2

MEASURABLE PUPIL OUTCOMES

The measurable pupil outcomes identified for use by the Charter school. “Pupil outcomes,” for purpose of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program. 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. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school.

~ California Education Code Section 47605(b)(5)(B)

“Pupil outcomes” means the extent to which all students of the Charter School demonstrate that they have attained the skills specified in the Charter School’s educational program. Measurable pupil outcomes will be defined by grade level standards adopted by the State of California as students develop the essential skills listed below. Dunham Charter School philosophy is to foster high academic expectations. The Charter School has consistently maintained API scores above the state required score of 800, and will continue to strive to exceed state expectations, including annual increases in student academic achievement, both schoolwide and in all numerically significant pupil subgroups.

CHARTER OUTCOMES

In addition to the goals listed in Element 1, students will also demonstrate the following upon completion of sixth grade:

- Overall scores on the CAASPP assessment system that demonstrate annual progress.
- Proficiency in state grade level standards.
- Strong study and organizational skills.
- Good citizenship.

ACADEMIC CONTENT OUTCOMES

- Language Arts

As reflected in grade level state standards:

- Students will read at or above grade level.
- Students will demonstrate strong reading, writing, listening, speaking, and presentation skills in multiple forms of expression (e.g. written, oral, multimedia).

- Students will comprehend and critically interpret multiple forms of expression.
- Students will demonstrate effective communication skills in written and oral language appropriate to the setting and audience.

▪ **Mathematics**

As reflected in grade level standards:

- Make sense of problems and persevere in solving them.
- Reason abstractly and quantitatively.
- Construct viable arguments and critique the reasoning of others. 4. Model with mathematics.
- Use appropriate tools strategically.
- Attend to precision.
- Look for and make use of structure.
- Look for and express regularity in repeated reasoning.

▪ **Science**

As reflected in grade level standards:

- Students will build upon their natural curiosity through a scientific perspective using hands-on activities to support the state content standards in the classroom, in the garden, and in the community.
- Students will use scientific evidence, reasoning, and critical thinking to solve everyday problems.
- The curriculum will provide the foundational skills and knowledge for students to learn core concept, principles, and theories of science.

▪ **Social Science**

As reflected in grade level standards:

- Students will demonstrate skills necessary to be competent, compassionate citizens of the 21st century by learning about the history and geography of the world.
- Students will demonstrate understanding of key aspects of a variety of cultures, both past and present.

▪ **Visual and Performing Arts**

As reflected in grade level standards:

- Students will be able to demonstrate creative expression and appreciation in various forms of the arts.
- The arts curriculum will be addressed through integration in all content areas.

▪ **Physical Education/Health**

As reflected in grade level standards:

- Students will demonstrate teamwork and good sportsmanship.
- Students will know the benefits of a healthy lifestyle.
- Students will develop the basic skills of key games and activities.

▪ **Study Skills and Technology**

As reflected in grade level standards:

- Students will learn note taking skills and study strategies.
- Students will learn to use graphic organizers in a variety of ways.
- Students will have access to various technological tools to enhance their learning and understanding.
- Students will develop basic keyboarding skills.

▪ **Social/Interpersonal Outcomes**

- Students will demonstrate citizenship and leadership skills through community service projects.
- Students will develop techniques necessary for collaboration and cooperative work by successfully participating in group projects and/or activities.

Pursuant to Education Code Section 47605(b)(5)(B), the Charter School's school-wide and pupil outcome goals and performance targets aligned to the Eight State Priorities that apply for the grade levels served, or the nature of the program operated by the Charter School, and methods for measuring progress, can be found in the Charter School's LCAP. The LCAP is on file with the District.

As the state and District finalize new standardized assessment tools (e.g., the CAASPP assessment system) and new school performance measures (e.g., the Dashboard), the Charter School will continue to examine and refine its list of student outcomes over time to reflect the school's mission and any changes to state or local standards that support this mission.

ELEMENT 3

METHODS TO ASSESS PUPIL PROGRESS **TOWARD MEETING OUTCOMES**

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

~ California Education Code Section 47605(b)(5)(C)

Measurable pupil outcomes will be defined by grade level standards adopted by the State of California as students develop the essential skills and understandings listed below.

FORMATIVE ASSESSMENTS

Teachers develop ongoing assessments to support the diagnostic need of meeting individual student learning. Formative assessments will be developed for each of the core curriculum areas and will be administered on a regularly scheduled basis coinciding with the report of progress to parents. These formative assessments will be used to inform instruction.

Formative assessments will include, but not be limited to, assessments embedded in the state curricular materials as well as diagnostic assessments such as Dynamic Indicators of Benchmark Elementary Literacy (DIBELS), Gray Oral Reading Test (GORT), and the San Diego Assessment of Mathematics (SAM). The measurable outcomes relate directly to the grade level assessed.

READING/LANGUAGE ARTS ASSESSMENT SCHEDULE

MEASURE	DESCRIPTION	GRADES TK-2	MINIMUM PERFORMANCE STANDARD	GRADES 3-6	MINIMUM PERFORMANCE STANDARD
Oral Reading Fluency	Words correct per minute on grade level text	A minimum of 3 times per year and as needed	50 WPM	A minimum of 3 times per year and as needed	100 wpm
Reading Comprehension	Main Idea Sequencing Inference/ Analysis	At least once every 10 weeks	80% accuracy	At least once every 10 weeks	80% accuracy
Vocabulary	Word origins Contextual meanings Metaphors, similes, analogies	At least once every 10 weeks	75% accuracy	At least once every 10 weeks	80% accuracy

Conventions	Penmanship Grammar Capitalization Punctuation	At least once every 10 weeks	80% accuracy	At least once every 10 weeks	80% accuracy
Writing	Response to Literature Summaries Narrative Letter writing	At least once every 10 weeks	3 out of 4 on grade level rubric	At least once every 10 weeks	3 out of 4 on grade level rubric

MATHEMATICS ASSESSMENT SCHEDULE

Measure	Description	Grades TK-2	Minimum Performance Standard	Grades 3-6	Minimum Performance Standard
Number Sense	Number comparisons/ computation	A minimum of 3 times per year and as needed	80%	A minimum of 3 times per year and as needed	80%
Algebra & Functions	Mathematical symbols/ expressions	A minimum of 3 times per year and as needed	80%	A minimum of 3 times per year and as needed	80%
Measurement And Geometry	Shapes, Perimeter, area, volume, measuring	A minimum of 3 times per year and as needed	80%	A minimum of 3 times per year and as needed	80%
Statistics And Probability	Collect and analyze data	A minimum of 3 times per year and as needed	80%	A minimum of 3 times per year and as needed	80%
Mathematical Reasoning	Solve problems and justify reasoning	A minimum of 3 times per year and as needed	80%	A minimum of 3 times per year and as needed	80%

PERFORMANCE BASED ASSESSMENT

Performance assessments measure a student's ability to apply information by actively constructing and producing a specific project. These assessments will be used to measure levels of student thinking and creativity. Both oral and written presentations will be used to determine progress toward understanding of the standards.

BENCHMARK ASSESSMENTS

Benchmark assessments, such as the District Writing Assessment, will be developed and formalized to provide a uniform basis for measuring student progress on standards at least

once during the year. The student results will be used by the school as a performance indicator and as part of the data used in establishing a performance level as well as to inform instruction. The school also uses the CAASPP Interim Assessments and STAR Reading to gauge student progress.

SUMMATIVE ASSESSMENTS

The CAASPP will be used for program analysis and public accountability. It will provide trend data about general performance that can guide the school program.

The Charter School affirms that its methods for measuring pupil outcomes for the Eight State Priorities, as described in the Charter School's LCAP, shall be consistent with the way information is reported on a School Accountability Report Card as required by Education Code Section 47605(b)(5)(C).

ELEMENT 4

GOVERNANCE STRUCTURE OF THE SCHOOL

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

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

The Charter School will be non-sectarian in its programs, admission policies, employment practices, and all other operations; shall not charge tuition; and shall not discriminate on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, gender expression, gender identity, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). The governing board of the District will be the governing board of the Charter School.

DUNHAM ELEMENTARY SCHOOL DISTRICT GOVERNING BOARD

All duties and operations regarding the Charter School shall be considered a duty of the Board of the District which may take into account the recommendation of the Site Council or other committees as allowed by this Charter. These duties include but are not limited to:

- Development and adoption of policies and procedures related to the Charter School.
- Ratification of the Charter School budget.
- Management of Charter School personnel including, but not limited to evaluation, discipline, hiring, collective bargaining, and grievances.
- All special education services.
- Provision and management of Charter School facilities.
- Food Services for Charter School students.
- Maintenance and operations for the Charter School.

The District Board shall have supervisory oversight of the Charter School. Such duties may include, but are not necessarily limited to, review and renewal of the Charter, review and approval of amendments, review of annual audits and STRS/PERS reporting, or revocation of the Charter.

SITE COUNCIL

The Dunham Charter School shall have a ten member Site Council. The Council will consist of five parents, and five staff members. Dunham Charter School may adopt policies that allow for a six member Site Council, which would consist of three parents, and three staff members, after

meeting with labor representatives as required by law. The Superintendent/Principal sits in an advisory role to this Council.

The Site Council will be established to facilitate communication between the District Governing Board and the Charter School. It will be advisory to the District Governing Board. The Site Council will be facilitated by the Superintendent/Principal of the school. The day-to-day operations of the school will be the responsibility of the Superintendent/Principal. In addition, parent and staff input will be solicited through discussion groups, committees and/or surveys. Discussions can include, but not be restricted to: input regarding instructional programs and/or curriculum; parent suggestions and/or concerns; and/or the development of goals and objectives.

Staff and parents of the Charter School will be encouraged to bring proposals or concerns to the attention of the Site Council, which in turn may bring the matter to the District Board.

The Council will also comply with District Board Policies and will provide an annual programmatic audit. This audit will, at a minimum, include the following data:

- Summary data showing student progress toward the goals and outcomes specified in Element 3.
- Data on the level of parent involvement in the district'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 in the Charter School and their qualifications.

PARENTAL INVOLVEMENT

Studies have shown that students are best able to reach their full potential when there is a high level of involvement by parents in their education. Success of the Charter School can be better accomplished and maintained if parents participate in the governance of the school. The Charter School parents will be encouraged to participate in the School Site Council.

Parents may contribute in many different ways to the collective responsibility of running the Charter School and making its educational programs a success. Recognizing that each parent, like each child, is unique in terms of background, experience, and ability, parents will be encouraged to contribute to the Charter School's success by volunteering their skills, time, and resources to the extent that they are able. To that end, the Superintendent/Principal of the Charter School shall hold an annual meeting with parents to determine what contributions they may make to the school given their individual time, abilities, and resources.

SUPERINTENDENT/PRINCIPAL

The Superintendent/Principal of the District shall serve as a liaison between the Charter School and the District Board. The Superintendent/Principal is fully responsible for the daily administration of the Charter School.

BUSINESS MANAGER

The Business Manager of the District shall serve as the Business Manager of the Charter School.

ADMINISTRATION SERVICES

The Charter School shall use the centralized administrative services of the District unless otherwise approved by the District Board.

ELEMENT 5

EMPLOYEE QUALIFICATIONS

The qualifications to be met by individuals to be employed by the school.

~ California Education Code Section 47605(b)(5)(E)

The Charter School will retain or employ faculty who hold appropriate California teaching certificate, permits, or other documents equivalent to that which a teacher in other schools would be required to hold. These teachers will be deemed “Highly Qualified” under the ESEA legislation. These teachers will teach the core academic classes. These teachers will be responsible for overseeing the students’ academic progress and for monitoring grading and matriculation decisions.

All other employee qualifications shall align with the like positions in the District.

ELEMENT 6

HEALTH AND SAFETY PROCEDURES

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

(i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.

(ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (J), inclusive, of paragraph (2) of subdivision (a) of Section 32282.

(iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.

~ California Education Code section 47605(B)(5)(F)

The Charter School shall comply with all health and safety policies of the District including the policy establishing that the School functions as a drug, alcohol, and tobacco free workplace; the requirement that each employee of the school submit to a criminal background check and furnish a criminal record summary as required by Education Code Section 44237; and criminal background check of vendors as required by Education Code Section 45125.1.

All staff will be trained in health, safety, and emergency procedures, and will be required to submit to T.B. testing.

All students and staff will take part in emergency preparedness and drills as well as any training in the Comprehensive Safety Plan.

All students will be required to submit necessary immunization and health screening records.

The Charter School shall annually develop a comprehensive safety plan that addresses the safety topics listed in subparagraphs (A) to (J), inclusive, of paragraph (2) of subdivision (a) of Section 32282. The school safety plan shall be reviewed by staff and the School Site Council each school year. Revisions and updates shall be completed by March 1st and approved by the Board of Trustees at the next regular board meeting. The safety plan shall then be shared with the local fire department and published on the school's website.

ELEMENT 7

MEANS TO ACHIEVE RACIAL/ETHNIC BALANCE REFLECTIVE OF THE DUNHAM ELEMENTARY SCHOOL DISTRICT

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

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

The Charter School will strive to achieve a racial and ethnic balance amongst its student population that is reflective of population of the territorial jurisdiction of the District. As such, the Charter School shall include, 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 distribution of promotional and informational materials to a broad variety of community groups that serve the various racial, ethnic, and interest groups represented in the District.

ELEMENT 8

ADMISSION REQUIREMENTS

Admission requirements, if applicable.

~ California Education Code Section 47605(b)(5)(H)

The District Board shall have the sole authority to determine the capacity of the Charter School. The determination of school capacity shall be based on the school's academic program, the school's fiscal viability, the educational needs of currently enrolled students, the capacity of the school site, and the level of interest shown by students and their families who want to attend the school. The Dunham School District Board has stated a desire to maintain class size at 27 students in every grade level.

There shall be no admission criteria, testing, or other evaluation required of any applicant. The Charter School shall not charge an admission fee nor shall it charge tuition. The Charter School shall be nonsectarian in its admission and enrollment policies and shall not discriminate on the basis of the characteristics listed in California Ed Code Section 220 (actual or perceived disability, gender, gender expression, gender identity, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics).

The Charter School shall admit all existing students who wish to attend the school. If the number of students who wish to attend the Charter School exceeds the school's capacity, attendance, except for existing students at the school, shall be determined by a public random drawing, held in stages, according to the enrollment preferences in priority order as follows:

- 1) District residents
- 2) Out of District siblings of existing students
- 3) Out of District children of Charter School employees
- 4) Out of District children who attend before or after school childcare within District boundaries

The Charter School will require a parental agreement to attend. This agreement will be distributed upon acceptance into the school. (Appendix I)

ELEMENT 9

FINANCIAL AUDIT

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 Charter School will adhere to the policies and administrative regulations adopted by the Dunham Elementary School District Board of Trustees Policies and Administrative Regulations, and will participate in the Board's annual audit of fiscal and programmatic operations. The District will continue to provide administrative services and budget development for the Charter. The District and Charter will comply with Sonoma County Office of Education audit and accountability practices, though it will retain its rights under the parameters of Charter School law. The District will be responsible for the Charter's insurance needs.

The District and Charter shall resolve any audit exceptions and/or deficiencies in accordance with District policies and procedures. 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.

ELEMENT 10

PUPIL SUSPENSION AND EXPULSION

The procedures by which pupils can be suspended or expelled.

~ California Education Code 47605(b)(5)(J)

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well being of all students at the Charter School. In creating this policy, the Charter School has reviewed Education Code Section 48900 *et seq.* which describes the noncharter 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. Charter 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. 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 this Policy and Procedures are available on request at the Superintendent/Principal's office.

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

A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. The

Charter School will follow all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

No pupil shall be involuntarily removed for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform the pupil, the pupil's parent or guardian, or the pupil's educational rights holder of the right to initiate a hearing before the effective date of the action. If the pupil's parent, guardian, or educational rights holder initiates a hearing, the pupil shall remain enrolled and shall not be removed until the school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions.

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 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.

The suspension procedures require that:

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

(b) If a homework assignment that is requested pursuant to subdivision (a) and turned into the teacher by the pupil either upon the pupil's return to school from suspension or within the timeframe originally prescribed by the teacher, whichever is later, is not graded before the end of the academic term, that assignment shall not be included in the calculation of the pupil's overall grade in the class.

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) Knowingly received stolen school property or private property.
- l) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- m) 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.
- n) 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.
- o) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- p) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or preinitiation 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.

- q) 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.
- r) 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.
- s) 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.
- t) 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.
- u) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 - 1. “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including acts one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of 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.
- ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - iv. 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.
- 2 "Electronic Act" means the transmission by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
- i. A message, text, sound, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
 - iii. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- v) 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).
- w) 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/Principal 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/Principal 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) Knowingly received stolen school property or private property.

- l) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- m) 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.
- n) 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.
- o) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- p) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or preinitiation 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.
- q) 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.
- r) 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.

- s) 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.
- t) 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.
- u) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 1. "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including acts one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of 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.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - iv. 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.
 2. "Electronic Act" means the transmission by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - i. A message, text, sound, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil

would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

(c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

iii. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

v) 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).

w) 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/Principal 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/Principal 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 Superintendent/Principal or the Superintendent/Principal's designee with the student and his or her parent and, whenever practical, the teacher, supervisor or Charter School employee who referred the student to the Superintendent/Principal or designee.

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

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

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of Expulsion by the Superintendent/Principal or Superintendent/Principal's 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/Principal or designee upon either of the following: 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 Charter School Board following a hearing before it or by the Charter School 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 Charter 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/Principal 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 (complying with all pupil confidentiality rules under FERPA) 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 Charter School's disciplinary rules which relate to the alleged violation;
4. Notification of the student's or parent/guardian's obligation to provide information about the student's status at the Charter School to any other school district or school to which the student seeks enrollment;
5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
6. The right to inspect and obtain copies of all documents to be used at the hearing;
7. The opportunity to confront and question all witnesses who testify at the hearing;
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

F. Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses

The Charter School may, upon a finding of good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations that shall be examined only by the Charter School or the hearing officer. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall

be made available to the 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 Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the 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 Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising 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. 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 Administrative Panel decides not to recommend expulsion, the pupil shall immediately be returned to his/her educational program.

I. Written Notice to Expel

The Superintendent/Principal 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: Notice of the specific offense committed by the student; and Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the Charter School.

The Superintendent/Principal or designee shall send a copy of the written notice of the decision to expel to the authorizer. This notice shall include the following: a) The student's name b) The specific expellable offense committed by the student.

J. Disciplinary Records

The Charter School shall maintain records of all student suspensions and expulsions at the Charter School. Such records shall be made available to the authorizer 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. The Charter School shall work cooperatively with parents/guardians as requested by parents/guardians or by the school district of residence to assist with locating alternative placements during expulsion.

M. Rehabilitation Plans

Students who are expelled from the Charter 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 Charter 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/Principal or designee and the pupil and guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Superintendent/Principal or designee shall make a recommendation to the Board following the meeting regarding his or her determination. The pupil's readmission is also contingent upon the Charter 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. 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 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.

2. Procedural Safeguards/Manifestation Determination

Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the Charter School, the parent, and relevant members of the IEP/504 Team shall review all relevant information in the student's file, including the child's IEP/504 Plan, any teacher observations, and any relevant information provided by the parents to determine:

- a. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
- b. If the conduct in question was the direct result of the local educational agency's failure to implement the IEP/504 Plan.

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 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.

3. 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.

4. 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/Principal 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.

5. Interim Alternative Educational Setting

The student's interim alternative educational setting shall be determined by the student's IEP/504 team.

6. 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 Charter School's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if the Charter School had knowledge that the student 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 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.

ELEMENT 11

RETIREMENT SYSTEM

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

~ California Education Code Section 47605(b)(5)(K)

All non-certificated and certificated staff at the Charter school shall participate in either the Public Employees Retirement System (PERS) or the State Teachers' Retirement System (STRS) according to the guidelines specified by the system chosen. The Charter School will also make contributions for worker's compensation insurance, unemployment insurance, and any other payroll obligations of a public school employer. The District shall create any reports required by STRS or PERS for Charter School employees. The Charter School shall inform all applicants for positions within the Charter School of the retirement system options for staff at the Charter School. The Superintendent/Principal shall be responsible for ensuring that appropriate arrangements for coverage have been made.

ELEMENT 12

ATTENDANCE ALTERNATIVES

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

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

No student shall be required to attend the Charter School. Students who opt not to attend the Charter School may pursue an interdistrict transfer in accordance with existing enrollment and transfer policies of their district or county of residence. No student residing in the former attendance area of the converted school shall be required to attend the Charter School and shall be assisted as necessary by the district to locate other options for public school attendance. 6th grade students continue to have an option within the District's non charter, 6th grade.

ELEMENT 13

DESCRIPTION OF EMPLOYEE RIGHTS

A description of the rights of any employee of the school district upon leaving the employment of the school district to work in a 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)

All employees of the Charter School shall be considered employees of the District and shall continue to gain seniority in the District while working in the Charter School.

Teachers who are employed at the Charter shall have the same rights under the California Education Code as the other certificated employees of the District.

ELEMENT 14

DISPUTE RESOLUTION PROCESS

The procedures followed by the charter school and the entity the charter to resolve disputes relating to provisions of the charter.

~ California Education code Section 47605(b)(5)(N)

In the event that the Charter School Site Council and the District Board have disputes regarding the terms of this charter, both parties agree to follow the process outlined below.

The Site Council agrees to first frame the issue in written format.

The Superintendent/Principal, or designee, shall informally meet and confer in a timely fashion to attempt to resolve the dispute. In the event that this formal meeting fails to resolve the dispute, both parties shall identify two members from their respective council/board to meet to resolve the dispute. If this joint meeting fails to resolve the dispute, the Superintendent/Principal will identify a neutral, third party mediator. The format of the mediation session shall be developed by the Superintendent.

If a mediation agreement cannot be reached, the District Board holds the ultimate responsibility for decisions made.

ELEMENT 15

LABOR 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.

~ California Education Code Section 47605(b)(5)(O)

The District shall be deemed the exclusive public school employer of the employees of the Charter School for the purposes of the Education Employment Relations Act ("EERA"). The District shall comply with the EERA.

ELEMENT 16

CLOSURE

A description of the procedures to be used if the charter school closes. The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the 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)

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

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

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

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

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

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

As soon as reasonable and practical, the District will prepare final financial records. The District will also have an independent audit completed within six months after closure. The District will pay for the final audit out of the Charter School's funds. The audit will be prepared by a qualified Certified Public Accountant selected by the District and will be provided to the district promptly upon its completion. The final audit will include an accounting of all financial assets, including cash and accounts receivable and an inventory of property, equipment, and other items of material value, an accounting of the liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation, and an assessment of the disposition of any restricted funds received by or due to the Charter School.

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

On closure of the Charter School, all assets of the Charter School, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending the Charter School, shall revert to the District except that the Charter School shall return any grant funds and restricted categorical funds to their source in accordance with the terms of the grant or state and federal law, as appropriate, which may include submission of final expenditure reports for entitlement grants and the filing of any required Final Expenditure Reports and Final Performance Reports, as well as the return of any donated materials and property in accordance with any conditions established when the donation of such materials or property was accepted.

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

MISCELLANEOUS CLAUSES

TERM

The initial term of this charter began on July 1, 2010 and expired June 30, 2015. It was renewed for five years from July 1, 2015 to June 30, 2020. This charter shall remain in effect through July 1, 2027.

AMENDMENTS

Any amendments to this charter shall be made by mutual agreement of the Charter School, Site Council, the Dunham Teachers Association and the District Board. Material revisions and amendments shall be made pursuant to the standards, criteria, and timelines in Education Code Section 47605.

RENEWAL

Renewals shall be governed by the standards and criteria in Education Code Sections 47605 and 47607, and its implementing regulations. Any renewal term shall be for a period of seven (7) years.

FACILITIES

Governing Law: 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).

Dunham Charter School is located at 4111 Roblar Road, Petaluma, CA 94952. Its facility includes 11 classrooms, a library, multipurpose room, two play areas, a large sports field and office space for three administrative staff.

ADMINISTRATIVE SERVICES

Governing Law: The manner in which administrative services of the school are to be provided. Education Code Section 47605(g).

All administrative services for the Charter School will be provided by the District.

LIABILITY IMPACT ON THE DISTRICT

Governing Law: Potential civil liability effects, if any, upon the school and upon the District. Education Code Section 47605(g).

The Charter School shall remain under District insurance coverage. Insurance amounts will be determined by recommendation of the District and its insurer for schools of similar size, location, and student population.

The District will institute and maintain appropriate risk management practices.

AFFIDAVITS AND DECLARATIONS

As the authorized lead petitioner, I, _____, hereby certify that the information submitted in this petition for renewal of a California public charter school named Dunham Elementary School (“Charter School”) is true to the best of my knowledge and belief; I also certify that this petition for renewal 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 renewal, 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)]
- The Charter School declares that it shall be deemed the exclusive public school employer of the employees of the Dunham Elementary School for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(b)(6)]
- 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 Dunham Elementary School, unless Charter School receives a greater number of applications than there are spaces for students, in which case it will hold a public random drawing to determine admission. Except as required by Education Code Section 47605(d)(2), admission to 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)(i)(iv). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of 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, gender expression, gender identity, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(d)(1)]

- Charter School shall not discourage any pupil from enrolling or seeking to enroll in the charter school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics of a pupil with disabilities, academically low-achieving pupil, English learner, neglected or delinquent pupil, homeless pupil, or pupil who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation. [Ref. Education Code Section 47605(d)(4)(A)]

- Charter School shall not request any pupil's records or require a parent, guardian, or pupil to submit the pupil's records to the charter school before enrollment. [Ref. Education Code Section 47605(d)(4)(B)]

- Charter School shall not encourage a pupil currently attending the charter school to disenroll from the charter school or transfer to another school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics of a pupil with disabilities, academically low-achieving pupil, English learner, neglected or delinquent pupil, homeless pupil, or pupil who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation. This shall not apply to actions taken by Charter School pursuant an involuntary suspension or removal of a student for disciplinary reasons. [Ref. Education Code Section 47605(d)(4)(C)]

- Charter School shall post a notice on a charter school's internet website regarding the school's availability to all pupils. A copy of this notice shall be provided to parents/guardian at all of the following times:

- (i) When a parent, guardian, or pupil inquires about enrollment.
- (ii) Before conducting an enrollment lottery.

(iii) Before disenrollment of a pupil. [Ref. Education Code Section 47605(d)(4)(D)]

- 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 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 Charter School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools is required to hold. As allowed by statute, flexibility will be given to non-core, non-college preparatory teachers. [Ref. 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 report cards or a transcript of grades, and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the Charter School within 30 days if the Charter School demonstrates that the pupil had been enrolled in the Charter School. [Ref. Education Code Section 47605(d)(3)]
- The Charter School may encourage parental involvement, but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a

requirement for acceptance to, or continued enrollment at, the Charter School. [Ref. Education Code Section 47605(n)]

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

[Ref. Education Code Section 47612.5(a)(2)]

- The Charter School shall on a regular basis consult with its parents and teachers regarding Charter School's educational programs. [Ref. Education Code Section 47605(c)]

· The Charter School shall comply with any applicable jurisdictional limitations to the locations of its facilities. [Ref. 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. Education Code Sections 47612(b) and 47610]

· The Charter School shall comply with all applicable portions of the Elementary and Secondary Education Act ("ESEA"), as reauthorized and amended by the Every Student Succeeds Act ("ESSA").

· The Charter School shall comply with the Public Records Act.

· The Charter School shall comply with the Family Educational Rights and Privacy Act. The Charter School shall comply with the Ralph M. Brown Act.

· The Charter School shall comply with Government Code Section 1090, et seq., as set forth in Education Code Section 47604.1.

· The Charter School shall comply with the Political Reform Act.

· The Charter School shall meet or exceed the legally required minimum number of school days. [Ref. Title 5 California Code of Regulations Section 11960]

Daniel Hoffman

Date

APPENDIX I

Dunham School District
4111 Roblar Road, Petaluma, CA 94952
(707) 795-5050 Fax: (707) 795-5166

PARENT AGREEMENT WITH DUNHAM CHARTER SCHOOL

EXPECTED STUDENT BEHAVIOR

STUDENTS WILL:

- Arrive at school on time
- Have good attendance (no truancy)
- Be prepared and ready to work
- Perform as near to their level of academic ability as possible
- Become aware of all school rules
- Follow all school rules
- Conduct themselves in a manner that allows other students to learn and teachers to teach
- Demonstrate respect for other students and adults
- Respond in an appropriate manner when confronted with a difficult situation and/or when being corrected

The following signature signifies that:

- 1) Both parent and student have read, discussed and agreed to abide by the behaviors listed above, and
- 2) Understand that disregarding one or more of the above rules may lead to the revocation of the charter admission

Parent's signature_____

Date_____