



LAW OFFICES OF YOUNG, MINNEY & CORR, LLP

SACRAMENTO ■ LOS ANGELES ■ SAN DIEGO

JANUARY 10, 2014

VIA: HAND DELIVERY

REPLY TO SACRAMENTO OFFICE

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Jay Speck, Solano County Superintendent of Schools
Solano County Office of Education
5100 Business Center Drive
Fairfield, CA 94534

**Re: *Pacific Valley Charter Academy Charter Petition
Appeal to the Solano County Board of Education***

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MARVIN H. STROUD

Dear Mr. Speck:

This letter is to inform you that Pacific Valley Charter Academy (the “Charter School”) hereby appeals the denial of its charter petition by the Vacaville Unified School District (the “District”) to the Solano County Board of Education (the “County Board”), as provided for in Education Code Section 47605(j)(1) and Title 5, California Code of Regulations Section 11967(a). Title 5, California Code of Regulations Section 11967(b) requires that a charter school whose petition has been denied and that wishes to appeal its petition to the County Board must send the following information within 180 days after the denial action:

- (1) A complete copy of the charter petition as denied by the District, including the signatures required by Education Code Section 47605. (Attached under Binder Tab 1.)
- (2) Evidence of the District governing board’s action to deny the petition (e.g. meeting minutes) and the governing board’s written factual findings specific to the particular petition, when available, setting forth specific facts to support one or more of the grounds for denial set forth in Education Code Section 47605(b). Attached under Binder Tab 2, please find:
 - a. Minutes of the District Board meeting confirming the denial of the Charter School’s charter petition.
 - b. Charter School response to District Board’s unlawful denial action.
 - c. District Resolution No. 22, 2012-13, District staff’s required modifications to the charter petition and conditions for approval.

OF COUNSEL

WILLIAM J. TRINKLE

Jay Speck

Re: Pacific Valley Charter Academy Charter Petition

Appeal to the Solano County Board of Education

January 10, 2014

Page 2 of 2

- d. District Resolution No. 1, 2013-14, District staff's acceptance of the revised charter and recommendation for approval of the charter petition conditioned on executing a MOU.
 - e. The District Board did not issue any written findings of fact setting forth specific facts to support the District Board's grounds for denial, as required by Education Code Section 47605(b). As a result, the Charter School cannot submit these findings to the County Board for review.
- (3) A signed certification stating that petitioners will comply with all applicable law. (Attached under Binder Tab 3.)
 - (4) A description of any changes to the petition necessary to reflect the County Board as the chartering entity as applicable. (A detailed list of changes to reflect the County Board as the Charter School's authorizer is attached under Binder Tab 4.)
 - (5) A CD containing PDF versions of all files listed above.

At its July 18, 2013 meeting, the District Board voted to deny the Charter School's charter petition. This appeal is therefore within the 180 day limit for submission of an appeal of a charter petition, as stated in County Board policy.

According to Education Code Section 47605(b) and Title 5, California Code of Regulations Section 11967(d), no later than 60 days after receiving a complete petition package, the Solano County Board of Education shall grant or deny the charter petition. We anticipate that the County Board will adhere to this timeline during its consideration of the charter petition.

* * *

We look forward to working with the County Board and the Solano County Office of Education during consideration of the charter petition. Please feel free to contact me, or Dr. Paul Keefer, the lead petitioner (pkeefer@heritagepeak.org; 866.992.9033) if you have any questions.

Sincerely,

LAW OFFICES OF

YOUNG, MINNEY & CORR, LLP



JERRY W. SIMMONS

ATTORNEY AT LAW

Binder Tab 1

Pacific Valley Charter Academy
A California Charter School

Submitted to Vacaville Unified School District

March 7, 2013

[With Revisions Addressing District Concerns April 25, 2013](#)

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- Appendix 8 WASC Committee Letter / Heritage Peak Charter School
- Appendix 9 Annual Review of Teaching Review Process
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Pacific Valley Charter Academy

A California Charter School

SECTION 1. INTRODUCTION

This introduction outlines the importance of Pacific Valley Charter Academy as an additional educational resource for students that find themselves on the outside of the traditional system for educational success..

Affirmations / Assurances

As the authorized lead petitioner, I, **Paul Keefer** hereby certify that the information submitted in this petition for a California public charter school to be named Pacific Valley Charter Academy (the “Charter School”) , and to be located within the boundaries of the Vacaville Unified School District (“District” or “VUSD”) is true to the best of my knowledge and belief; I also certify that this petition does not constitute the conversion of a private school to the status of a public charter school; and further, I understand that if awarded a charter, the Charter School:

- Shall meet all statewide standards and conduct the student assessment tests pursuant to Education Code Sections 60605 and 60851, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(c)(1)]
- Shall be deemed the exclusive public school employer of the employees of the Charter School for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605 (b)(5)(O)]
- Shall be nonsectarian in its programs, admission policies, employment practices, and all other operations.

- Shall not charge tuition.
- 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).
- Shall admit all pupils who wish to attend the Charter School, and who submit a timely application, unless the Charter School receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random drawing process with preferences in the public random drawing provided in accordance with Education Code Section 47605(d)(2). Except as required by Education Code Section 47605(d)(2) and Education Code Section 51747.3, admission to the Charter School shall not be determined according to the place of residence of the student or his or her parents within the State. In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the charter school and in no event shall take any action to impede the charter school from expanding enrollment to meet pupil demand.
- Shall adhere to all provisions of federal law related to students with disabilities including, but not limited to the Individuals with Disabilities in Education Improvement Act of 2004 ("IDEIA"), Section 504 of the Rehabilitation Act of 1973 ("Section 504"), and Title II of the Americans with Disabilities Act of 1990 ("ADA").
- Shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary.
- Shall ensure that teachers in the Charter School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a

teacher in other public schools are required to hold. As allowed by statute, flexibility will be given to non-core, non-college preparatory teachers.

- Shall at all times maintain all necessary and appropriate insurance coverage.
- Shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D)
- If a pupil is expelled or leaves the Charter School without graduating or completing the school year for any reason, the Charter School shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card, and health information.
- * Shall, on a regular basis, consult with the Charter School's parents and teachers regarding the Charter School's educational programs.
- Shall follow any and all other federal, state, and local laws and regulations that apply to the Charter School including but not limited to:
 - The Charter School shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection.
 - The Charter School shall on a regular basis consult with its parents and teachers regarding the Charter School's education programs.
 - The Charter School shall comply with any jurisdictional limitations to locations of its facilities.
 - The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment.

- The Charter School shall comply with all applicable portions of the No Child Left Behind Act.
- The Charter School shall comply with the Public Records Act.
- The Charter School shall comply with the Family Educational Rights and Privacy Act.
- The Charter School shall comply with the Ralph M. Brown Act.
- The Charter School shall meet or exceed the legally required minimum of school days and legally required annual instructional minutes for the grade levels being served.
- The Charter School shall commence operation by September 30 of its first year of operation.

Paul Keefer, MBA, Ed.D

Date

Lead Petitioner

pkeefe@pacificcharters.org

www.pacificcharters.org

Pacific Valley Charter Academy
A Pacific Charter Institute school

OVERVIEW

Location	354 Parker Street in Downtown Vacaville
Educational Focus	Pacific Valley Charter Academy will offer an educational opportunity that utilizes curriculum aligned with the California standards, assignments aligned with the maximum potential of the students, and a clear goal of every student maximizing his or her potential.
Grades Served	Grades Kindergarten through 12
Flexible Instruction	All students will be provided with curriculum that meets the California Standards for their grade level with high interest delivery and benchmark examinations.
Mission of School	Pacific Valley Charter Academy will empower students to take charge of their education by connecting their individual needs and interests to a rigorous learning plan, thus creating responsible citizens, critical problem-solvers, and lifelong learners.
Schools Like Pacific Valley Charter Academy	Pacific Valley Charter Academy school design will be similar to the Vacaville Learning Center for Heritage Peak Charter School, which successfully offers an alternative for students seeking education at home opportunities to better meet their needs.

For more Information

Web site: www.pacificcharters.org
Email: pkeefer@pacificcharters.org or
pkeefer@heritagepeak.org
Phone: 866-992-9033, ext. 3000

Section I. INTRODUCTION

Who We Are? Pacific Valley Charter Academy

Pacific Valley Charter Academy offers students sound, standards-based instruction with the flexibility of increased parental involvement coupled with state of the art standards based curriculum. Pacific Valley Charter Academy staff is the same staff that successfully designed and implemented the Heritage Peak Charter School Learning Center in Vacaville with many families in the community. The teamwork that exists between the families, the community, the staff, and the students exemplifies an exceptional learning environment outlined by the Blueprint for Great Schools.

Pacific Valley Charter Academy will make important contributions to Public Education

Experienced California educators and educational leaders formed Pacific Charter Institute (PCI), a California nonprofit public benefit corporation, incorporated in 2005. PCI operates Heritage Peak Charter School, a high-quality charter school that serves students in the Sacramento Valley. Due to the importance of a local presence and local accountability between the charter school and the community that it serves, the need to open a charter school in the Vacaville community has become crucial. In addition, the local support of the charter school through the district and other local stakeholders will allow for better services provided to the students.

Currently, PCI is educating students in Vacaville through the Vacaville Learning Center campus as an arm of Heritage Peak Charter School on 354 Parker Street in Downtown Vacaville. The highly qualified teachers staffing this site, with the dynamic and professional support from PCI staff, have made Vacaville a site in demand based on the number of calls, visits, and reputation that the teachers and organization have garnered. PCI

Board of Directors, staff, and families agreed that this site should be its own charter school with a focus on the Vacaville community and Solano County. The evidence is based on both current and interested parties in the Vacaville Learning Center. The charter document will illustrate both the staff and the students who are currently working in the Vacaville area and the descriptions are indicative of the direction as its own charter school.

The majority of the students currently attending Vacaville Learning Center either are not from the district boundaries or are not interested in enrolling in district schools due to homeschooling and activities not compatible with the traditional school schedule.

In accordance with the California Charter Schools Act of 1992, as amended (the "Charter Schools Act"), PCI hereby petitions the Vacaville Unified School District ("VUSD", the "District", or the "School District") to grant this charter petition for Pacific Valley Charter Academy for five years from the date of the school first serving students (the "Charter"). (Throughout this Charter, the terms "student" and "pupil" are used interchangeably.)

The Charter Schools Act states in Education Code 47601(a)-(g) that:

It is the intent of the legislature...to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure, as a method to accomplish all of the following:

- (a) Improve pupil learning
- (b) Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically high achieving
- (c) Encourage the use of different and innovative teaching methods
- (d) Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site
- (e) Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system
- (f) Hold the schools established under this part accountable for meeting measurable pupil outcomes, and provide the schools with a method to change from rule-based to performance based accountability systems

- (g) Provide vigorous competition within the public school system to stimulate continual improvement in all public schools

As detailed in this Charter, Pacific Valley Charter Academy will make important contributions to the legislative goals outlined above. By granting this Charter, VUSD will help fulfill the intent of the Charter Schools Act while providing students with an additional quality public school educational option.

Offering Improved Academic Performance in Solano County

There is a clear need to improve public education in California and the United States. The need to offer additional high-quality educational choices is equally important in Solano County. Pacific Valley Charter Academy will improve educational opportunities for students and families in Solano by providing a school that is:

- A public school with a specific college and career preparatory mission tailored to the student and familial needs outside of the traditional school schedule
- Open to all families/students committed to our mission and educational vision, with no tuition or academic entrance criteria required
- Offering a rigorous academic curriculum to all its students, including math and science
- Committed to maintaining high expectations for both academic and personal performance
- A small and supportive school environment
- Operated in partnership with parents

Currently Solano County offers similar programs to Pacific Valley Charter Academy, but those programs vary widely in their academic success and how they achieve their scores. Pacific Valley Charter Academy will combine retention (low dropout rates) with high academic expectations and results. Pacific Valley Charter Academy will qualify more students to attend two and four-year colleges and universities, increasing the pool of county residents with the high-level skills needed by companies in our region and nationally.

What is Pacific Charter Institute?

Pacific Charter Institute is a 501(c) 3 tax exempt organization serving students of all academic abilities in the Sacramento Valley. The school currently operates two charter schools including Heritage Peak Charter School (sponsored by Twin Rivers Unified School District) and Rio Valley Charter School (sponsored by Lodi Unified School District). Heritage Peak Charter School maintains five learning centers including Rio Linda, Broadway (Sacramento), Elk Grove, West Sacramento and Vacaville. Three years ago, the Rio Valley Charter School, which serves predominately underserved high school students, was the 'Lodi Learning Center' under Heritage Peak Charter School.

Each learning center serves a distinctive population with students seeking an alternative to what is provided by the local community. In the case of Vacaville, most of the 300 students currently being taught, includes students predominately homeschool students with highly motivated, involved parents. The students at the Vacaville Learning Center continue to strive to be the highest performing students within the Heritage Peak family of Learning Centers, but as in independent charter school will have more resources to increase learning.

The Need for Higher Academic Performance in Solano County, in California, and throughout the United States

Solano County Educational Needs

Employers in Solano County need highly educated and capable employees, and the economic viability of the community depends on the availability of this type of highly educated and skilled workforce. Solano County has an unemployment rate in California at 9.3% as of October 2012 with a statewide average of 9.8% (EDD, <http://www.labormarketinfo.edd.ca.gov>). Allowing the focus on individual student needs, Pacific Valley Charter School will invigorate future employees that will help drive down the unemployment rate in the local economy.

California Schools Need to Significantly Improve Education Offered to Students

California developed the Blueprint for Great Schools in order to help guide the state towards a more effective means to reach a highly qualified high school graduate including

career and university pursuits. The call for this initiative includes high drop out rates, low skilled workers, and misalignment of A-G courses towards career and technical pursuits concurrently. According to the Blueprint, strategies include

Higher Education and Secondary Alignment Key Recommendations

To increase high school and postsecondary graduation rates and prepare students for the new economy they will be entering, CDE should:

- **Reinvest in funding for and improvements to our higher education systems** and protect Cal Grants as a way to ensure higher education remains achievable for our students.
- **Work with UC, CSU, and CCC to establish and define California College and Career Readiness Standards**, along with performance goals and reporting systems, and align assessments for K-12 accountability, college admissions, and college placement.
- **Remove regulatory and fiscal barriers to dual enrollment** of high school students in college coursework to engage in rigorous curricular pathways in aligned sequences leading to bachelor's degrees or career-technical education credit.

Create strong Linked Learning pathways to college and careers by evaluating and investing in innovative, personalized high school models that engage students in academic and applied learning, and by modernizing A-G requirements while revamping high school assessments. Implement key recommendations from the AB 2648 Multiple Pathways to Student Success Plan published in 2010.

According to the Blueprint for Great Schools, California "The California public school system has experienced serious reductions over the last few budget cycles leading to reduced educational services and personnel. Current budget proposals include significant cuts to California's early care and education programs. It is critical that we maintain the basic infrastructure of the early learning and development programs that serve our youngest learners, including high-quality preschool programs, so that the system can expand when funds are available." All of the recommendations by the State of California offer solutions that have high costs including data collection, in home visits, curriculum and readiness data for birth to grade three system, and various other initiatives that do not include parents as the primary source of support

(<http://www.cde.ca.gov/eo/in/bp/bpstrategy5.asp>). Further, one initiative alone to develop

the Early Learning Quality Improvement System (ELQIS) Advisory Committee and issue its first report regarding a rating scale took two years to complete. In fact, the Blueprint suggested “The Council, though currently unfunded due to recent cutbacks, is also ultimately to develop a comprehensive system and policy plan for early learning and pre-school services in California, begin coordination of standards and an early childhood data system that connects with K-12, and work toward developing a coherent preparation, training and professional development system.”

Paradoxically, traditional, magnet, and charter schools that interface with the families directly tend to perform much better than schools without these relationships. Based on the expensive efforts of the state of California that have protracted development plans, the answer for public schools tend towards the immediate results found between the teacher, the student, the parent, and the leadership of the local school.

California is one of the Poorest Performing States in the United States

California struggles academically when compared to the other states in the United States. The 2011 National Assessment of Education Progress (NAEP), ranked California 8th grade students the sixth lowest in the nation. According to the California Department of Education and the national Center for Educational Statistics as derived from the Governor’s Committee on Education Excellence (2007), California lags behind the other states in a variety of metrics including being in the bottom 10% nationally in Reading, math, and science.

SUBJECT AREA	Grade 4 Proficient and advanced percentage	Grade 8 proficient and advanced percentage
Math	25%	24%
Reading	34%	25%
Science	23%	20%

(25% 4th grade and 24% 8th grade),,math (34% Proficient and Advanced 4th grade and 25% Proficient and Advanced 8th grade), and science (23% proficient and advanced

grade 4 and 20% proficient and advanced 8th grade) (Average scores and achievement-level results in NAEP reading for fourth-grade public school students, by state/jurisdiction: 2011)

The Need for Improved Educational Opportunities in Today's World Demand Innovations like Pacific Valley Charter Academy

The same Blueprint for Great Schools, suggests that the component of parents is a key component for successful students. According to the document, '**Parent Involvement**'. Research conducted for the last 30 years clearly indicates that parent involvement in their children's education has a significant impact on student achievement, as well as social and emotional growth. CDE should prioritize the promotion of increased parental engagement with local schools, particularly in our most challenged schools where getting parents involved can be difficult for personal, economic, and institutional reasons. Teaching character and promoting trustworthiness, respect, responsibility, fairness, caring and good citizenship, is important. Including parents in this process from the start will give California's children a strong foundation for success.

(<http://www.cde.ca.gov/eo/in/bp/bpstrategy6.asp>)" As the state of California asserts and Pacific Valley Charter Academy relies upon, parent involvement is an essential component. Parents and teachers work together to develop comprehensive plans for the students that are monitored regularly and tracked using a variety of tools including student learning plans, student assignments, embedded assessments, and third party assessments such as NWEA, ACT, and STAR.

Pacific Valley Charter Academy also meets the component currently being grappled by California in aligning students towards career AND college, and not just one path. Pacific Charter Institute partnered with Project Lead the Way and offers students' grades 6-12 the opportunity to engage in STEM (science, technology, engineering, math) in a meaningful way at the campus. In addition, students are given opportunities in similar programs at Solano Community College to encourage further the Blueprint for Great Schools.

Pacific Valley Charter Academy Meeting the Needs of Vacaville Unified School District and Solano County

Pacific Charter Institute (PCI), the 501(c)(3) non-profit and founding group of Heritage Peak Charter School, propose establishing a new college model independent study program in Vacaville Unified School District. Currently Heritage Peak Charter School teaches 298 students in Solano and Yolo County, most of whom enrolled based on word of mouth between homeschool families in the region. All of the students at Pacific Valley Charter Academy will focus on college level academics and/or college level vocations through intensive support from the teachers, parents, and students themselves. Each student will develop his or her learning and study skills to reach the goal of going to a four-year college or a recognized trade organization.

The students at all grades require formal instructional support from certificated teachers to augment the passion of parents and ensure results equal to or better than the surrounding schools. These families will choose independent study or schooling at home rather than a traditional school site, and with Pacific Valley Charter Academy, they will have both the support of credentialed teachers along with the public school goal of having the students reach proficient or advanced in the core subject areas.

It is important to the Pacific Charter Institute Board of Directors have a positive, student-centered relationship with its sponsoring district.

Pacific Valley Charter Academy will be built on the Success of Heritage Peak Charter School

Rigorous

PCI operates two successful charter schools in the Sacramento Valley that serve students in Solano, Contra Costa, Placer, Solano, San Joaquin, Yolo, Sacramento, Calaveras, and Amador Counties through six Learning Centers. Over eight years, the schools continue to take all students in its independent study program and ensure that each student is enrolled and supported in college preparatory classes. Through the rigorous curriculum placed in front of the students, the scores for the major metrics all went up including the CAHSEE first time passage rate and academic scores including students that enroll at Pacific Charter Institute far behind in their academics. **Heritage Peak Char-**

ter School earned a 6 (six) Year Accreditation from the Western Association of Schools and Colleges (WASC) in 2008 due to the multiple, student centered components.

In addition, the school supported the students in the rigorous placements through tutoring by graduates from the University of California at Davis and California State University at Sacramento. The staff hires and trains highly qualified teachers that disseminate and teach the curriculum. Students are exposed to college preparatory materials while ensuring that they develop the learning skills to absorb the information. In 2012-2013, 21 students qualify for the UC / CSU programs.

Relevant

The teaching staff refined the state adopted curriculum to better fit the California standards within the scope and ability of the students. The students learned how to both develop a personal understanding of the curriculum while reaching out to the support services to develop a strong understanding of the curriculum and the California standards. Each of the Learning Centers under the PCI umbrella serve distinctly different student populations including college and career preparatory homeschool, college preparatory hybrid model, at-risk model for gang affiliated students and teen parents, English language learners, and socially disadvantaged students. Students at Pacific Valley Charter Academy include the college and career preparatory homeschool families primarily.

Relationship

The students and their families develop solid one-on-one relationships with their teachers as well as the staff at the school ensuring that students maximize their potential. In comparison to other educational opportunities for these families, this is perhaps the key element as it is foundational to determine the appropriate rigor and relevance for EVERY student. This relationship is further cemented through the consistent planning between staff and families to develop programs specifically designed to enhance the learning experiences of the students.

Academic Triangle ©

Pacific Valley Charter Academy will rely on three critical elements to successfully educate the student that includes the parent, the student, and the highly qualified teacher. This dynamic surrounding remains vital to ensure that the student and parent both real-

Pacific Valley Charter Academy

ize the scope of the overarching goals for the student at the school. The teacher develops the directional elements to help the student develop the personal learning tools to successfully complete the curriculum. Families of Pacific Valley Charter Academy along with PCI staff determined that families require the flexibility of both a site based support, as offered at 354 Parker Street in Downtown Vacaville, coupled with support in the community and at the home.

Students grades K-5 typically have a strong parental leg of the Triangle, with the teacher acting as a coach to the parent supporting curriculum selections and techniques including reading strategies and mathematic processes. Because the foundation of K-5 education is critical to future learning, parent collaboration and student peer learning becomes critical. The school also enrolls students whose parents are not acclimated to homeschooling their children, allowing qualified staff to build the capacity for parents that determine homeschooling is the only option at that point for their children.

Students in grades 6-8 typically begin to take more ownership of their academic process; but also, parents tend to rely more on the school for support for their students, because the coursework begins getting more difficult. Middle school students typically will be on site for a day focusing on mathematics, Gateway to Technology classes (PLTW), writing, science, and language arts support. Students will attend classes and receive direction instruction support from teachers and college level tutors. The parents continue working with the teacher to develop strategies for the students that focus on developing the life-long learning skills as much as following the curriculum itself.

Students in grades 9-12 begin taking on much of the instruction themselves. With that, the teacher and student maintain the majority of the contact with the parent supporting the academic process and helping when possible. Much of the direct instruction occurs at the Learning Center in mathematics, science, high school level engineering (PLTW), and the A-G courses. The parents will be encouraged to remain a critical leg on the Academic Triangle ©.

The thorough WASC review of Heritage Peak Charter School (“HPCS”) in 2008 outlined a variety of assets that will benefit Vacaville Unified School District as the academic challenges continue to mount. The following observation from the visiting WASC committee (Appendix 10) illustrates the intent and abilities of PCI, and the staff that support the education of students in California:

HPCS is a vibrant, responsive, inclusive, individualized learning environment with a climate that supports trust, collaboration, risk taking and a sense of community unusual within home schooling and independent study programs. The people that are the students, parents, teachers, and staff have pride in the program and the growth of the last two years. There is a feeling of continual growth and increased expectations. (WASC, Self-Study Visiting Committee Report, March 2008)

The core staff of Pacific Valley Charter Academy will be hired from HPCS to ensure that the core competencies, cultural expectations, and high regard for academic achievement are not a new concept to the staff. In other words, the staff is already hired and working with student in Solano County under the umbrella of Heritage Peak Charter School. In addition, staff representing PCI will support the outcomes for each student through staff development and staff support. Students and parents representing grades K-5 will be encouraged to explore subjects, classes, and projects of interest to ensure a more well-rounded, exciting learning experience. Students in grades 6-8 will be encouraged to begin developing the skills required to successfully complete the rigor of high school. Finally, high school students will continue to stretch themselves from where they are academically to successfully reaching specific goals set for each student towards four-year college and established vocational programs.

SECTION II. FOUNDING GROUP

Board of Directors

The Board has a strong record of educational leadership, stability, and fiscal responsibility. The outstanding academic success at Heritage Peak Charter School and Rio Valley Charter School, strong and stable management, seven successive years of unqualified audits, and healthy fiscal reserves are reflective of the leadership that will also guide the implementation and operation of Pacific Valley Charter Academy.

There are seven voting members allowed per the bylaws for PCI. Two of the board members are founders of PCI. All five of the Board members offer specific expertise to support the organization as it grows regionally.

Board Member Name	Board Member Background
Rex Fortune, Ph.D A & T State University in North Carolina-BS University of California, Berkeley – MA Stanford University – Doctorate in Education	Founding Board member, Pacific Charter Institute - Heritage Peak Charter School Founder, Project Pipeline Teacher Credential now called Fortune School of Education Program (Now Fortune School of Education) Superintendent, Center Unified School District Superintendent, Inglewood Unified School District Deputy Superintendent, State Board of Education of California
Gary Borden, JD	Founding Board member, Pacific Charter

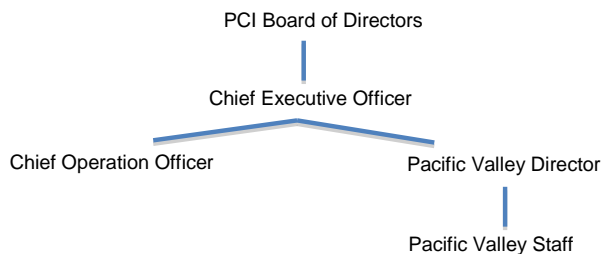
<p>Pennsylvania State University - BS, Economics and International Business</p> <p>Georgetown University- JD</p> <p>Member, California State Bar Association</p>	<p>Institute - Heritage Peak Charter School</p> <p>Statewide consulting and legal support in Education</p> <p>Chief Executive Officer, California State Board of Education</p> <p>Associate Chief Executive Officer, California State Board of Education</p> <p>Senior Vice President-Policy/ California Charter School Association</p>
<p>Jean-Paul Prentice, CCE, LEED AP</p> <p>State University of New York-BS</p> <p>University of Southern Colorado-MBA</p> <p>Leed Accredited Professional, US Green Building Council</p>	<p>Project Manager</p> <p>Active Member, Association for the Advancement of Cost Engineering (AACE)</p>
<p>Wei Hsieh, MBA</p> <p>California State University-Sacramento-B.S.</p> <p>National University-MBA</p>	<p>Branch Chief at California Conservation Corps</p> <p>Faculty / Program Administrator at University of Phoenix</p> <p>Global Business Manager at United Parcel Service (UPS)</p>
<p>Judy Miller</p>	<p>Director of Fiscal Services – Covina-Valley Unified School District</p> <p>San Gabriel Credit Union – Supervisory Committee</p> <p>Credit Union of Southern California –</p>

	Board Member Heritage Park Community – Rules and Regulations Advisory Committee – Vice Chairperson California Association of School Business Officials (CASBO) – Retiree Representative
Kevin Smith-Fagan (Board Member) Boston University	Vice-President for Development, KVIE Public Television Rotary Club / Sacramento Sacramento Estate Planning Council Board member / YMCA Board Member /Women’s Empowerment

Table 3. Board of Directors and Chief Executive Officer

Organization Chart for PCI

The organization chart below illustrates the substantial support that PCI will provide Pacific Valley Charter Academy. The support remains critical to ensuring that the students receive the critical academic support in each subject area that will help them succeed during and after high school. The individuals supporting Pacific Valley Charter Academy are experts in their field, and dedicated to supporting the outcomes expressed in the charter document.



Organizational Chart for Pacific Valley Charter Academy

Existing Fiscal and managerial expertise - PCI

PCI is a capable organization fiscally and administratively. Heritage Peak Charter School and Rio Valley Charter School successfully grew fiscally through prudent budgeting and planning. PCI employs the highest quality business staffing including former county and district executive level staff. In addition, PCI board has extensive knowledge of budgeting and fiscal operations at the charter school, district, state, and federal levels. Pacific Valley Charter Academy will operate under the Board of Directors of Pacific Charter Institute. Systems and protocols developed and fine tuned at Heritage Peak Charter School and Rio Valley Charter School will be implemented at Pacific Valley Charter Academy under the leadership of Pacific Charter Institute. Staffing will be hired for Pacific Valley Charter Academy under the guidance of the Chief Executive Officer and the Director of Pacific Valley Charter Academy, The Site Leader of the Vacaville Learning Center for Heritage Peak Charter School will become the Director for Pacific Valley Charter Academy. Pacific Charter Institute prides itself on primarily hiring staff from the communities that it serves and Pacific Valley Charter School is no different with ten employees from Vacaville.

Legal Expertise

PCI will utilize the same legal expertise to support Pacific Valley Charter Academy that it currently uses to support Heritage Peak Charter School and Rio Valley Charter School,

including Lozano Smith and Young, Minney, and Corr, LLP (YMC). In addition, Mr. Borden, who sits on the Board of Directors for Pacific Charter Institute, is an attorney who has many years of experience with all facets of charter school law and intimate knowledge of state regulations applicable to charter schools gained while he was Deputy Chief Executive Officer of the State Board of Education and currently as Senior Vice President of Policy and Advocacy for the California Charter Schools Association.

Charter School Policy and Operations Support

Pacific Valley Charter Academy will benefit from the expertise provided by its Board of Directors, PCI, as well as the statewide organizations representing charter schools including the California Charter Schools Association (CCSA) and the Charter Schools Development Center (CSDC). PCI belongs to both organizations and utilizes each for varying resources to successfully operate charter schools.

CCSA provides PCI with access to school-wide insurance through the CCSA Joint Powers Authority. In addition, CCSA provides the Board of Directors and executive staff with timely information regarding fiscal and policy activities at the state level. In addition, Mr. Borden, who sits on the Board of Directors for PCI, is Senior Vice President of Policy and Advocacy for CCSA.

CSDC provides PCI with practical information regarding budgeting calculations for the state as well as operational expertise.

Key Programmatic Areas	Sources of Expertise
Charter School Law and Operations	<p><u>Internal</u></p> <p>Dr. Paul Keefer, Chief Executive Officer</p> <p>Sonja Cameron, Chief Operations Officer</p> <p>Larry Pastore, Business Manager</p> <p>Gary Borden, Board Member</p> <p><u>External</u></p> <p>California Charter Schools Association</p> <p>Charter School Development Center</p> <p>Young, Minney & Corr, LLP</p>

Key Programmatic Areas	Sources of Expertise
Educational Program	<u>Internal</u> Dr. Paul Keefer, Chief Executive Officer Jennie Ellis, ELA Scott Stack, Math Ruby Diaz, Science Daniel McLaughlin, Academic Counselor <u>External</u> Edusoft / SchoolNet NWEA Odyssey Primary Reading Assessment California Charter School Association Charter School Development Center

Key Programmatic Areas	Sources of Expertise
Fiscal	<u>Internal</u> Dr. Paul Keefer, Chief Executive Officer Sonja Cameron, Chief Operations Officer Larry Pastore, Business Manager <u>External</u> Wells Fargo Delta Managed Solutions California Department of Education California Charter Schools Association Charter School Development Center
Personnel	<u>Internal</u> Dr. Paul Keefer, Chief Executive Officer Sonja Cameron, Chief Operations Officer Gloria Kluge, Human Resources <u>External</u> Young, Minney, & Corr, LLP Lozano Smith California Charter Schools Association Charter School Development Center

Key Programmatic Areas	Sources of Expertise
Audit	<u>Internal</u> Dr. Paul Keefer, Chief Executive Officer Sonja Cameron, Chief Operations Officer Larry Pastore, Business Manager <u>External</u> James Marta & Company California Charter Schools Association Charter School Development Center
Compliance	<u>Internal</u> Dr. Paul Keefer, Chief Executive Officer Sonja Cameron, Chief Operations Officer Larry Pastore, Business Manager Sue Riedel, Accountability Manager <u>External</u> Lozano Smith James Marta & Company Young, Minney, & Corr, LLP Charter School Development Center California Charter School Association

Key Programmatic Areas	Sources of Expertise
Law	<u>Internal</u> Dr. Paul Keefer, Chief Executive Officer Sonja Cameron, Chief Operations Officer Gary Borden, Board member <u>External</u> Lozano Smith Young, Minney, & Corr, LLP Charter School Development Center California Charter School Association

Key Programmatic Areas	Sources of Expertise
Expansion / Growth	<u>Internal</u> Paul Keefer, Chief Executive Officer Sonja Cameron, Chief Operations Officer Larry Pastore, Business Manager <u>External</u> Lozano Smith Young, Minney, & Corr, LLP Charter School Development Center California Charter School Association

Table 4. Key programmatic areas and supporting personnel and resources

A Strong Foundation for the Creation of Pacific Valley Charter Academy

As summarized above, PCI Board of Directors and the administration and experts from within the organization clearly have the capacity to establish and sustain Pacific Valley Charter Academy as an excellent school complementing the efforts at VUSD. PCI has a strong record of leadership, stability, and fiscal responsibility. It has the proven administrative capacity to manage and safeguard public funds for Pacific Valley Charter Academy in the same high quality manner it has done since 2005 for Heritage Peak Charter School. **PCI's outstanding academic success** serving distinctly different student populations including college and career preparatory homeschool, college preparatory hybrid site- based programs, at risk including gang affiliated and teen parents, English language learners, and socially disadvantaged students **garnered its first school a 6 year**

WASC accreditation in 2008. In addition, the school established seven years of unqualified audits, established healthy reserves, and maintained a clear focus on academic achievement. The PCI Board of Directors, the Executive Team, the faculty, and the external professional groups have the skill and experience in education, management, finance, and law needed for the successful development and operation of Pacific Valley Charter Academy.

SECTION III

EDUCATIONAL PHILOSOPHY AND PROGRAM

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

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

VISION Developing self-motivated, educated individuals in the Solano region who will spread the wealth of knowledge worldwide in a meaningful way.

MISSION Pacific Charter Institute empowers students to take charge of their education by connecting their individual needs and interests to a rigorous learning plan, creating self-motivated responsible citizens, critical problem-solvers, and lifelong learners.

Strategic Plan

Learning and Growth	Internal Organization
<ul style="list-style-type: none">• Expand student-centered opportunities and decisions to maximize learning.• Develop and Maintain meaningful and appropriate relationships with families.• Facilitate teacher innovation and flexibility in developing successful	<ul style="list-style-type: none">• Establish a continual improvement system to better service internal and external customers.• Expand the understanding and use of Professional Learning Communities throughout the organization.• Maintain adequate resources throughout the organization to ensure maximum productivity and student learning.

<p>academic goals and materials.</p> <ul style="list-style-type: none"> • Effectively utilize state adopted materials with fidelity in a non-traditional school setting. • Implement effective, proven 21st Century educational opportunities for staff development. 	<ul style="list-style-type: none"> • Implement planning tools allowing internal and external customers clear vision of programs with appropriate timelines. • Develop and implement a new teacher training program for Pacific Charter Institute and each school and learning center.
<p>Sustainability</p> <ul style="list-style-type: none"> • Ensure all programs meet the overarching goals of the organization and charters with fiscal prudence and accountability. • Maintain a clear individualized focus on all students in the organization. • Seek opportunities to continue building Pacific Charter Institute as a valuable regional educational resource. • Maintain a focus on increasing all state standardized assessments results within the models offered by Pacific Charter Institute. • Ensure compliance with all local, state, and federal regulations ensuring educational success for students within the models developed by Pacific Charter Institute. 	<p>Community</p> <ul style="list-style-type: none"> • Establish clear expectations and goals for all incoming students and share this information with all interested local agencies and groups. • Develop meaningful partnerships with organizations to further opportunities for students and staff. • Establish and maintain positive relationships with local groups including media, community groups, and business organizations. • Establish and disseminate clear goals and achievements through multiple communication tools. • Maintain positive relations with the local educational groups including the sponsoring school districts.

21st Century

To be an educated person in the 21st century global economy includes an individual that is a self-motivated, competent, and lifelong learner. The educated person can read, write, speak, and problem solve in a variety of environments and settings. It is the goal of this Charter School to help instill in students a desire to use their acquired knowledge and skills to benefit their local community as well as the world in which they live. The educated person will reach proficiency in the California standards from grades Kindergarten through the 12th grade.

PCI supports high expectations of students Heritage Peak Charter School, who have a wide range of academic ability including consistent failure to high-level collegiate ability to take classes that challenge the students while supporting the students individually. Students of all levels and abilities respond well to high expectations coupled with positive interaction with all adults and thus achieve greater academic success in this model.

Pacific Valley Charter Academy will give all students the opportunity to take the classes and offer learning opportunities that best fit the students, helping them to reach their goals while making them successful as 21st century educated individuals. The teacher, the parent and the support staff support the students enrolled in all classes. Pacific Valley Charter Academy expects every student to have a choice in the educational decisions that are appropriate both in ability and pacing in grades K-12. Hence, parents and students will utilize their budget to ensure that standards based interests are addressed at every grade level. For instance, elementary age students will have the opportunity to pursue the arts, music, science, math, and history in individual classes. Similarly, middle school students will have the opportunity to develop programs that meet their individual interests including science camps, writing projects, and collaboration for educational activities. High school students will have classes and coursework that support the choice of four-year college and vocational career, rather than defaulting to only career because of lack of access. In all of these cases, the goal is for each student to reach academic proficiency.

The school staff believes learning best occurs when a variety of modes and methods of instruction are implemented, so all students will be held to high academic and behavioral

standards. Efforts made by parents, teachers, administrators, and the community will help achieve the goal of making 21st Century learners out of all our students. *The tenets of PCI include the education of students include the essential components of relevance, rigor, and relationship.* Pacific Valley Charter Academy basic educational methodologies to maximize learning include:

- One-to-one teaching through student-tailored, standards-based curriculum including Common-Core is the primary arrangement
- Students are encouraged to work at their own pace with the encouragement of systems to expedite learning as students become more competent as self-motivated learners within the context of California standards and Common Core.
- The younger students utilize curriculum that best suit their learning styles while older students become acclimated to secondary curriculum that aligns with a-g coursework and the California standards
- The Academic Triangle © allocates school funding towards specific goals of the students including elective classes in grades K-12, access to specific learning opportunities, and educational materials specific to the needs of the students
- Small group classes are available to all students based on the interests of students and direction by the Academic Triangle ©
- Informal networks develop throughout the school between teachers, students, parents, staff, and other stakeholders as academic opportunities arise
- Regular assessment to drive instruction by parents and teachers to maximize academic goals

Objective of Pacific Valley Charter Academy

The objectives of the charter include, but shall not be limited to, the following:

- Pacific Valley Charter Academy will serve students from all social and economic groups. Pacific Valley Charter Academy will provide an educational experience for students that delivers a personalized approach to education, offering a dis-

tinctly different choice in public education for families in Solano and the adjacent counties.

- Pacific Valley Charter Academy will enable students to become self-motivated, competent, and lifelong learners

TARGETED SCHOOL POPULATIONS - WHO WILL PACIFIC VALLEY CHARTER ACADEMY EDUCATE

PCI, and consequently Pacific Valley Charter Academy, believes that all students should have access to individualized learning opportunities from Kindergarten to college preparatory education regardless of barriers and current abilities. With a clear and focused vision for every student, the resources surround the student's needs rather than forcing students to seek out support. The school fits the student rather than forcing the student to fit the school. Most importantly, Pacific Valley Charter Academy will accept students in grades K-12,,allowing individuals a unique, focused learning experience in Solano County and the adjacent counties. The staff plans to open with the current 200 students in grades K-8 growing to no more than 300 students in the first year. After the first year, the school will begin its 9th grade class in accordance with the A-G approval process for courses per the University of California Office of the President. The school will add the 10th grade class in year three, the 11th grade in year four, and the 12th grade in year five. This is logical planning is typical of most high schools in California.

The program identifies and builds on the strengths of our students and incorporates those strengths into all areas of their academic and social pursuits. By focusing on the strengths of the students, the school can steer students towards successful choices for post-secondary schools.

Pacific Valley Charter Academy will educate students that reflect the diversity of Vacaville, Solano County, and the state of California (Ed-Data, 2007). Pacific Valley Charter Academy will market through word of mouth and local publications if a group is not reasonably represented. Recent demographics are outlined in Table 5.

Group	VUSD	Solano County	California
American Indian	1%	.9%	.7%
Asian	2.7%	3.9%	8.5%
Pacific Islander	1%	1.2%	.6%
Filipino	2.9%	9.2%	2.6%
Hispanic	29.9%	31.7%	51.4%
African American	8.5%	17.4%	6.7%
White	50.6%	29.3%	26.6%
Two or More Races	2.7%	6%	1.8%
No response	.7%	.4%	1.1%
ELL	10.7%	13.3%	16.9%
Free and Reduced Lunch	36.4%	44.1%	55.7%
Compensatory Education	18.5%	25.3%	55.8%

Table 5. Demographics of students in Vacaville Unified School District, Solano County, and California (Ed-Data 2010-2011)

Replication of Successful Programs

PCI maintains a clear vision of educating all students as they come to the school by improving their learning skills and academic knowledge. This notion was successfully implemented at Heritage Peak Charter School located in Rio Linda, California and serving students throughout the Sacramento Valley. PCI will model Pacific Valley Charter Academy after Heritage Peak Charter School and Rio Valley Charter School with a combination of highly qualified certificated teachers, supported by curriculum experts in the core subject areas, and trained collegiate tutors. The key to replicating the successful outcomes at Heritage Peak Charter School includes becoming intimately aware of the nuances of the local community and building specific programs around the students, which it already has by currently serving over 290 students. Pacific Valley Charter Academy will implement on-site core academic classes for grades K-8 and eventually K-12, EL support focusing on Spanish, familial support for a positive school environment at the home, college readiness programs (i.e. ACT), and programs specific to the community of Vacaville and Solano County. The key to Pacific Valley Charter Academy, as is true with Heritage Peak Charter School, is that all students will have access to the most relevant curriculum at their particular grade level. Students in grades K-5 will have access to rich state adopted textbooks coupled with individualized instructional opportunities in the sciences, arts, mathematics, history, language, and physical education. Students grades 6-8 will have access to collaborative opportunities including on-site classes focusing on core educational concepts as they develop the study and learning skills required to be successful high school students. The high school students will focus on college preparatory classes with the appropriate intervention and supplemental support for each student. In addition, students that come to Pacific Valley Charter Academy with three years or less to graduate will be evaluated to ensure that a four-year college and vocational career opportunities are outlined.

Benefits of an Independent Study and Homeschool Programs

PCI supports the fluidity and adaptability of an independent study program focused on college preparatory academic achievement to meet the individual needs of each student.

The traditional educational system meets the needs of the majority of students. Yet, there are families seeking a more personal, explicit, clear instructional plan for their children that includes both a say in the curriculum and resources and participation in the education of their children.

Pacific Valley Charter Academy offers students that choose a different path the opportunity to maintain access to four-year college while engaging in school in the manner that is effective for them. The school actively mentors new students, taking them from where they are to where they become competitive with their peers and become educated 21st century individuals.

Independent study programs do not offer all of the opportunities that site-based schools offer, and the students realize this upon enrolling. Instead, the students take advantage of community-based opportunities such as local parks and recreation districts, Boys and Girls Clubs, Solano Community College, and activities using fingerprinted vendors based on the interests of the students.

Individualized Instruction and Accessing Expanded Curricular Opportunities

Pacific Valley Charter Academy curriculum structure follows the California academic standards with an eye on the Common Core Standards through implementation. Students courses in the core subjects will mirror the traditional programs in so much that the California standards guide the curriculum chosen as well as the monitoring of student achievement. Yet, unlike the traditional school, the highly qualified teacher and support experts and the parent can adjust IMMEDIATELY based on the speed and accuracy that the student gains mastery.

Coupled with the individualized instruction is the same discussion with each student and parent regarding the interests that will augment the learning experience. The Vacaville families already expressed their interests prior to this petition with electives and enrichment activities that meet the expectations of the Blueprint for Great Schools with Project Lead the Way, Gateway to Technology, Spelling and Geography competitions, field trips, and various other activities.

Educational Program Overview

Curriculum and Content

The course of study at Pacific Valley Charter Academy focuses on the traditional curriculum areas of mathematics, English, science, and history, along with fine art and foreign languages. The entire program is designed to capture students at their current level and make them grade level competent with the California Standards as a gauge. Additionally, for high school students that are with the school for more than three years, our goal is to make them eligible and capable at four-year colleges if they are in high school or above grade level in grades K-8.

Teachers in core subjects, in addition to meeting the criteria contained in Education Code section 47605(l), will also be highly qualified pursuant to the federal No Child Left Behind Act.

Highlights of Pacific Valley Charter Academy Academic Program:

- Project Lead the Way and Gateway to Technology / over 50 students currently attend full year classes in STEM education
- High academic standards / 2 students in the last two years graduated with both an AA or full transfer credits to a four year university and a high school diploma upon finishing the senior year
- Teachers demonstrate an unwavering commitment to their students that they will strive and learn
- Highly qualified teachers committed to the community and the students
- Ensure that each student graduates with the problem solving skills required for post graduate success in the 21st Century
- Develop the learning skills of the students so they are both capable and willing to progress in learning after high school in career and college

- Continual evaluation of student learning through benchmark examinations and re-teaching strategies by staff and parents
- Focus on academic outcomes in the California standards and California Common Core standards including mathematics, language arts, science, and social studies to ensure students are eligible for four-year colleges upon graduation
- Promote the use of technology as a learning and research tool
- Provide curriculum that is sequential and predictably articulated to provide a clear path to college
- Pacific Valley Charter Academy teachers demonstrate mastery and enthusiasm of their subject matter

A Strong Foundation: Modeling Pacific Valley Charter Academy after the successful Heritage Peak Charter School

Pacific Valley Charter Academy intends to offer instruction both on-site in the core subjects and enrichment classes at 354 Parker Street, Vacaville, California, 95687 (or another pre-approved, appropriate, and zoning and code compliant site in Vacaville), as well as through independent study and homeschool. The school will offer instruction for at least 175 days a year using independent study contracts and independent study law (51745-51749.3). The calendar will be similar to other schools within PCI while being cognizant of VUSD calendars. See appendix 8 for copy of the proposed calendar for Pacific Valley Charter Academy.

Pacific Valley Charter Academy will immediately offer a proven and successful curriculum that meets the California Standards and the Common Core Standards as they develop statewide. Student in grades K-5 will take advantage of student-centered programs including the core educational studies using workshops, hands-on activities, and state adopted curriculum to increase the learning experience. In addition, the teachers and parents work together to explore in-depth educational experiences both in the core subject areas, as well as innovative and exciting electives. An arts-infused core curriculum will be an option to be considered as a means to mastery and creative problem solving. Students in grades 6-12, students migrate into courses that allow students to successfully integrate with traditional junior and senior high schools.

Informing Parents About Transferability of Courses and Eligibility for Meeting College Entrance Requirements

In addition, the a-g course approval process with the University of California Office of the President will be streamlined because existing approved courses at Heritage Peak Charter School will be used at Pacific Valley Charter Academy ensuring students' eligibility for UC and CSU admission. Parents will be informed on an ongoing basis of the transferability of coursework to other public high schools and an individual course's a-g eligibility status through the course catalog and the Pacific Valley Charter Academy web page. This ensures that high school pupils can meet California college entrance requirements.

High school students that come to Pacific Valley Charter Academy behind in credits and without the possibility to earn enough a-g credits by their graduation date will continue taking a-g courses, but will be gearing toward successfully engaging in either a high quality vocational program and/or coursework at the community college. Students who are with the school for three years or more up to graduation will become either eligible for a four-year college or prepare for career vocational training.

The graduation requirements will include four years English, three years math, two years science including biological and physical, two years physical education, three years social science, health, geography, and one year of foreign language and/or visual and performing arts. Faculty, staff, and families will be responsible for enhancing and augmenting the curriculum, course offerings, and graduation requirements. The stakeholders will seek out input on improving programs at the school through the California Department of Education, California State University Sacramento, and National University. PCI Board reserves the right to modify, amend, and improve Pacific Valley Charter Academy, course offerings, and graduation requirements as necessary to achieve the mission and goals of the Charter.

Curriculum

Language Arts

The language arts curriculum prepares students to meet the California State Standards and post-high school language arts demands including the ACT and placement examinations at the colleges and universities. The curriculum includes Houghton Mifflin at the K-5 level, Prentice Hall for grades 6-8, and McDougal Littell for grades 9-12. This curriculum may change with the development and expansion of the Common Core standards. Workshops, in-services, and training from experts will occur regularly to ensure that materials are used effectively to ensure student learning. Using a placement test, students that require more intensive intervention in language arts may also use the National Geographic Hampton Brown Edge and Inside programs depending on grade level. This program allows students to be placed in textbooks and given instruction at their current reading level with the expectations that they make 2 years reading gains every year. Parents and teachers will work together to find additional resources to exceed the expectations of the California standards including the Buckle Down series, Lexia, Read Well, Compass Odyssey, Study Island, and writing in-services in order to master the California standards.

Pacific Valley Charter School will utilize NWEA (or other regular assessment), GMRT, embedded assessments, and the state standardized tests to monitor student learning and guide instruction. The Vacaville Learning Center currently offers ALL of the aforementioned programs and curriculum.

Math

The math curriculum at the K-5 level focuses on the California standards using McGraw Hill and other state adopted curriculum and Study Island. Students are given embedded assessments to ensure that the students are becoming proficient in their appropriate grade level.

NWEA MAP assessment will be used as a formative tool to determine if gaps exist in students' mathematical background. Teachers will have the ability to fill the gap using Compass Odyssey to align any gaps with the appropriate curriculum to support the student. This proven program is currently being used by Heritage Peak Charter School after the success of Poway Unified School District.

Students in grades 6-12 will rely on regular benchmark examinations sourced from the California State Standards and focusing on individual standards and global application of the standards. Students are expected to pass Algebra and all students are required to take three years of math in high school, allowing students access to at least pre-calculus. All students are assessed by standard from pre-algebra through pre-calculus using embedded assessments from the state adopted curriculum to measure standards mastered by each student. The program incorporates Houghton Mifflin and McGraw Hill elementary curriculum and Holt for the upper grades in mathematics. Students use ALEKS, Khan Academy online math, Odyssey, Study Island, or other tools to supplemental work and reach mastery in mathematics.

Pacific Valley Charter Academy will use the Common Core Standards for mathematics to ensure optimal standards-based instruction. The school uses McGraw Hill and other curriculum for the younger grades and Holt for all upper grade mathematics through Pre-Calculus. In all cases, the California and California Common Core standards anchor the expected outcomes regardless of the curriculum used algebra, algebra 2, geometry, pre-calculus, and calculus will be a-g approved, as they are with Heritage Peak Charter School. Pacific Valley Charter Academy will follow the successful lead of Heritage Peak Charter School and will hire staffing to support students based on the specific needs of the students. Pacific Valley Charter Academy will utilize NWEA (or other regular assessment) embedded assessments, and the state standardized tests to monitor student learning and guide instruction. The Vacaville Learning Center currently offers ALL of the aforementioned programs and curriculum.

Science

Pacific Valley Charter Academy will emphasize a variety of science offerings at the various grade levels with a CLEAR focus on STEM. Students at the K-5 level will have access to the McGraw Hill curriculum. In addition to textbooks, the students will have enrichment classes such as Lego Engineering and on-site science classes to complement the engineering programs for the older students. Students grades K-6 will also have access to Study Island, an online program promoted by the State of California as a positive supplement to the curriculum. The students in grades 6-8 will have textbooks by McGraw Hill and enrichment classes emphasizing writing, science, and critical thinking. In addition, middle school students have access to Gateway to Technology (GTT), which combines mathematics, physics, and engineering. Students in grades 9-12 will have UC

approved a-g courses including Earth science biology, chemistry, physics, and Principles of Engineering (Project Lead the Way). The students will be assessed using benchmark examinations at the high school level developed in alignment with the California standards recognizing the Common Core Standards for modification.

The science curriculum spans from K-12 at the school with students having access to a variety of science programs including onsite enrichment programs, Lego Engineering, Gateway to Technology (grades 6-8), Project Lead the Way (grades 9-12), Biology, Chemistry, and Physics. These courses navigate through the California State Standards at the lower grades and the expectations from the UC and CSU a-g course approvals for the high school courses. Caliquity is used as supplemental online support for Biology and Chemistry, which supported a massive gain in CST for the 2011-2012 school year. The Vacaville Learning Center currently offers ALL of the aforementioned programs and curriculum.

History

History will focus on the California content standards at each grade level using state adopted curriculum. Grades K-5 will use curriculum from McGraw Hill and Harcourt. In addition to texts, students will be offered a variety of enrichment programs including, but not limited to, a "trip around the world" and living history programs such as a 24 hour field trip to Sutter's Fort. Grades 6-8 will use Prentice Hall, and grades 9-12 will use Glencoe. Students grades K-6 will also have access to Study Island, an online program promoted by the state of California as a positive supplement to the curriculum. Middle school students will have the option for an onsite enrichment class that includes historical videos via United Streaming and project based activities to supplement their textbook work. Students in high school will take the a-g approved courses including geography, world history, US history, government, and economics. As the Common Core standards are developed, more appropriate curriculum may be adopted to maximize learning.

Students will use a combination of online resources including National Geographic and United Streaming (along with DVD's) to supplement the adopted text. Students will integrate the resources to develop a well-rounded understanding of the world in a meaningful way. The Vacaville Learning Center currently offers ALL of the aforementioned programs and curriculum.

Foreign Language

Foreign language focuses on Spanish and engages in conversational elements and be supported through online programs to maximize technology as a venue for learning. Students will become proficient in Spanish as a tool to engage in the global economy. The school will offer on site classes from a fluent, credentialed Spanish teacher. The study of Spanish at Pacific Valley Charter Academy allows students' exposure to cultures other than their own, and in some cases, augments their current understanding of the language. The school will use Buen Viaje (1 and 2) by Glencoe and supplement this curriculum with Rosetta Stone online. Students will meet in small groups with the instructor to learn the in-depth fundamentals of the language and culture including history, cultural practices, visual arts, and idioms. Students will have Internet access subsidized by the school for home use of the program, as well as lab opportunities at the school site. The Vacaville Learning Center currently offers ALL of the aforementioned programs and curriculum.

Fine Arts

Fine Arts will be an avenue for students to engage art in a standards-based sequential curriculum addressing all strands of the California state adopted Framework for Visual and Performing Arts. The a-g course approvals will occur with the University of California Office of the President (UCOP).

Pacific Valley Charter Academy recognizes the importance of fine arts and offers the arts in a variety of venues and mediums at all grade levels to expose and develop cultural literacy. Visual art will be an UC a-g approved course offered to high school students. At the lower grades, students will take part both on-site and through approved vendors in art classes specific to the students' interests. Unlike traditional school settings, Pacific Valley Charter Academy will be able to make classes for small group or whole classes across a myriad of genres including, but not limited to drama, painting, pottery and woodworking. In addition, students will participate in local and global competitions within the genre that they embark in fine arts. Students in all grades will have access to music including individual and group performances in most instruments. Students interested in performing arts will have access to a variety of stage academies in the Vacaville, Fairfield, and Sacramento, based on the student's interest. Students will also attend professional performances in a variety of venues to develop an appreciation

for the arts. The Vacaville Learning Center currently offers ALL of the aforementioned programs and curriculum.

Physical Education

Pacific Valley Charter Academy students have the flexible access to pursue fitness within the goals for the individual. The school will provide guidelines outlined by The President's Challenge and then incorporate these elements into the student's personal endeavors including the Active Lifestyle program. Students in grades 5,7, and 9 will complete the physical fitness assessment through the state of California in the spring of each year. The school will use the elements outlined by the California standards for physical education to instill a positive self-image to the students with an internal motivation for fitness and a healthy lifestyle. The Vacaville Learning Center currently offers ALL of the aforementioned programs and curriculum.

Kindergarten through 5th grade Curriculum

The curriculum in grades Kindergarten through 5th grade consists of state adopted texts supplemented with individualized student materials to augment standards-based learning. The students will use Houghton Mifflin in language arts and McGraw Hill in mathematics. As the Common Core Standards develop, the curriculum may change to maximize learning. Students may attend weekly onsite classes to augment their work in both math and English. Students may have access to Lego Engineering, drama, art, and a variety of student-centered activities agreed upon by the student, the highly qualified teacher, and the parent. The standards-based assignments allow students to focus in both on their interest levels and on their ability levels ensuring that the work promotes proficiency in the core subject areas. Students supplement the core subject areas such as Study Island, Khan Academy, Odyssey and ALEKS online programs to assist in reaching proficiency for the students. Students grades K-5 will use the California standards as building blocks towards four-year college aptitude. The Vacaville Learning Center currently offers ALL of the aforementioned programs and curriculum.

In the event that the State of California funds charter schools for transitional kindergarten programs at any point during the charter term, the charter school shall offer a transitional kindergarten program in accordance with state law.

6th grade through 8th Grade Curriculum

The curriculum in grades six through eight uses the state adopted curriculums including Prentice Hall language arts and Prentice Hall mathematics for pre-algebra and algebra. Using a placement test, students that require more intensive intervention in language arts may also use the National Geographic Hampton Brown Edge and Inside programs. As the Common Core Standards develop, the curriculum may change to maximize learning. The school will offer Holt Mathematics and other appropriate mathematic curriculum to meet mastery in the California standards.

Students in grades 6 through 8 will be provided with the opportunity to participate in the Bridge Program, a two-day a week program that is designed to bridge the gap between home and school learning. Students in this program will take both math and English on-site with a qualified teacher. Teachers will create homework and appropriate assessments to be completed both onsite and at home. Teachers will be in constant communication with parents, creating a support system as the students mature towards high school. Students in the bridge program will have additional opportunities to meet with tutors and teachers.

Students in grades 6 through 8 will be provided the opportunity to participate in the engineering program, Gateway to Technology (GTT, from the Project Lead the Way program) to help students apply the mathematics that they learn in their math class. Students participating in GTT or Project Lead the Way will gain additional access to various opportunities including working with CSU Sacramento for mentoring opportunities.

Middle school students also participate in Middle School Enrichment, a program focusing on writing and science. The middle school students also take part in the standards-based science course allowing them access to higher-level learning.

The standards-based assessments taken by the students at the middle school level (grades 6-8) establishes the systems that these same students will experience at the high school level. Since the students are transitioning from elementary school to high school, the teacher student ratio will remain lower than in traditional junior high school and high school settings to support building a meaningful relationship with the students and allow for more time for instruction with each student. The middle school students will

develop the tools to both understand and excel at academic accountability in order to prepare them for success at the four-year college level.

9th through 12th Grades Curriculum

As Pacific Valley Charter Academy grows, it is expected that all students will be enrolled in classes allowing them to perform at their highest possible ability including a-g approved courses when appropriate. Every student is expected to take the ACT and / or SAT to ensure a four-year college is a choice for the student upon graduation unless he or she is already enrolled at the community college or other secondary program. In addition, the school will strive for first time passage of the CAHSEE for all of the high school students to allow for greater focus on post-graduation choices. In addition, PCI developed a scholarship fund for students that are accepted to a four-year college or complete a certification program prior to graduation.

In mathematics, students are required to complete 3 years of mathematics in succession to ensure access to four-year colleges. Pacific Valley Charter Academy will use Holt as its state adopted textbook to support the standards-based math program. The math program, as described above, stretches from pre-algebra to pre-calculus in supporting students both face-to-face and from their homes using the DVD and guided worksheets from the Holt program. Students using this program will be capable of moving faster than their peers or have the ability to reflect on the work and move at a more capable pace. Also, students may augment their educational resources using Khan Academy, ALEKS, and other online resources. As the Common Core Standards develop, the curriculum may change to maximize learning. The Vacaville Learning Center currently offers ALL of the aforementioned programs and curriculum.

The language arts curriculum includes Houghton Mifflin at the K-5 level, Prentice Hall for grades 6-8, and McDougal Littell for grades 9-12. In addition, Pacific Valley Charter Academy will incorporate when appropriate the Reading Institute for Academic Preparation (RIAP) from California State University Sacramento and implemented at Heritage Peak Charter School. Using a placement test, students (special education, EL, learners below grade level) that require more intensive intervention may also use the National Geographic Hampton Brown Edge and Inside programs. As the Common Core Standards develop, the curriculum may change to maximize learning.

Students will be able to take a variety of science classes including Earth Science, Biology, Chemistry, Physics, and Principles of Engineering (Project Lead The Way). Students in these classes will be monitored using regular standards-based benchmarks examinations. These assessments will be created by the test generators from the adopted textbooks and implemented using EduSoft to ensure transparent, easily identified strengths and weaknesses for each student.

Pacific Valley Charter Academy College Preparation	UC a-g Requirements
3 years	a: History/Social Science- 2 years required
4 years	b: English-4 years required
3 years	c: Mathematics-3 years required, 4 years recommended
3 years	d: Laboratory Science-2 years required, 3 years recommended
2 years	e: Language Other than English- 2 years required, 3 years recommended
1 year	f: Visual and Performing Arts (VPA) - 1 year required
3 years	g: Preparatory Electives-1 year required

Table 6. Pacific Valley Charter Academy college preparation requirements

How the Program Works; From Enrollment and Beyond

Interested parents or students contact the school to schedule an enrollment interview with the Director of the program. The Director explains the program to the student and parent, ensuring that they realize that the program is an independent study program offering some on-site classes. The parents and students are also advised that this program relies on the efforts of the parent, the student, and the teacher working collectively to ensure the academic success of the student (Academic Triangle ©). During the meeting, the parent completes the packet, or the student completes the packet for the parent present if the parent is unable to read the document. The registration packet includes the Academic Agreement, contact and emergency contact information, demographic information, Home Language Survey, special programs, parent education level, request for transcripts and cumulative files from the prior school, and annual income information. If the student receives special education services, the special education coordinator will obtain the special education file and coordinate with the District to ensure complete an IEP is completed for the student within 30 days.

While the parent completes the registration packet, the student is given the appropriate assessments to determine reading and mathematics level. In addition, the grades and transcripts will be reviewed for accurate support of the new student. The assessment may include NWEA, Gates-MacGinitie Reading Tests® (GMRT®), or embedded assessments from the adopted curriculum to determine the reading level of the student. The student may also given the Standards Based Math Placement Assessment designed by PCI or the placement assessment for the National Geographic Hampton Brown program.

Once the student is enrolled in the school, a teacher is assigned to the student who will oversee all aspects of the student's education. The teacher will monitor classes taken at the school and collaborate with the families and school leadership regarding any extra-curricular activities adding to the overall educational process.

After analysis of the student's records and assessment results, the college and career counselor (grades 7-12), the teacher, the parent, and the student will decide on courses best suited to the student for the coming semester. This plan will include both the core classes, as well the elective classes at each grade level. For high school students, the college and career counselor will suggest classes required both for high school gradua-

tion and to steer the student towards a collegiate or certification track based both on interest and ability. Students that are designated special education will receive critical input from the IEP Team as to the academic curriculum and instructional methodology.

Once the coursework is decided, the classes are forwarded to the Site Manager for PCI, who creates a master agreement in PowerSchool. The parent, the student, and the teacher sign the master agreement. The master agreement adheres to the audit guide compliance for independent study. This document is signed prior to attendance being collected for student work completed.

The teacher begins to assign the work that will be completed no later than a one month period in all of the assigned subjects. The work is completed on the Semester Learning Report (Assignment Log). At the end of each month, the members of the Academic Triangle © analyzes the work completed and determine the best course of action for the next month. General pacing guides developed by the school will be used as well to help the family map out a year's worth of instruction to clearly see the academic plan by subject area.

The expectation as outlined in the Staff Handbook includes each student be met no less than every two weeks to determine the progress towards proficiency. Tools supporting proficiency identification at the K-5 level includes embedded assessments in the textbooks, school-wide benchmark assessments, and continual monitoring using rubrics and specific quizzes. Students in grades 6-12 will be monitored as to achieving proficiency or better using embedded assessments, the specialized math program standards-based assessments, standards-based assessments in the sciences, and rubric driven writing analysis.

During the month, parents will complete a Monthly Calendar to verify that schoolwork was completed on those days. This calendar (contemporaneous record) will be completed by the parent, the student, and the teacher and forwarded to the Site Manager for verification and then entered into PowerSchool for attendance. This record is defined as a daily attendance log that documents and verifies evidence that the student was engaged in an 'educational' activity on a given school day. No attendance may be claimed for work done on weekends or holidays. Full apportionment will be based on a fiscal year of at least 175 school days, and is proportionally reduced for every day less than 175 days. The adult responsible for overseeing the work completed will be responsible for

completing the monthly calendar (contemporaneous record). The monthly calendar refers to the Semester Learning Report. The teacher maintains a portfolio of the student work during the semester, with samples taken from the work that correspond to the work assigned in the Semester Learning Report and validated by the monthly calendar. All work samples are required to have the signature of the teacher, the date, the percentage of work completed, and whether the student assignment passed the criteria established by the teacher.

Time value accounting will be utilized in assessing the work completed by the student. Time value is the assessment by the student's certificated teacher that the student made satisfactory progress during the attendance period. This is a subjective assessment, based upon the professional, best judgment of the certificated teacher. Teachers will determine the time value of the work completed and report attendance based on satisfactory progress during the attendance period. This will be consistent with independent study laws and regulations for the state of California.

At the end of the semester, the student's overall grade is established based on the grades and assessment of student work provided weekly, bimonthly or monthly and the work completed. The grades are placed onto the Master Agreement and submitted to the Director, who then instructs staff to input grades into PowerSchool.

Student Budgets

Pacific Valley Charter Academy allocates part of the school-wide budget toward an allocation for each student's individual learning plan and approved by the teacher and the school Director through input by the families and staff of the school. All purchases and experiences are non-religious and must be reflected by the class on the Master Agreement as augmenting the educational application. For instance, if a 4th grade student has history on his Master Agreement, and the Gold Rush is one of the standards being covered, then that student may include field trips to Empire Mine in Grass Valley and Sutter's Fort in Sacramento, with the expenditures for the student covered by the budget (Grade 4, Standard 4.3, 3). Students who enroll after the first month of school will have a budget that is pro-rated by month (i.e. student enrolls in September, then the budget is \$900, student enrolls in October, then the budget is \$800, etc.).

Targeted budget allocation for individual students is a critical element to ensuring parent participation in the educational process of the child and meaningful curriculum for the student. Parents have a far greater say in the fiscal management of their children's education than in traditional education, in which fiscal decisions are made on a macro level, and not on the micro level of the students' individual needs.

A Day in the Life of Students at Pacific Valley Charter Academy / PROFILES

We serve a wide variety of students. Each comes to Heritage Peak Charter School with unique needs. Upon enrollment, we meet with the students to assess their needs and abilities, and then we create a learning plan for each student. Our students are surrounded by a strong support system. Each student is assigned a master teacher that meets one-on-one with the student and oversees their academic progress. In between their meetings if the student does not understand the classwork, the student is encouraged and expected to contact the master teacher or the subject matter expert for help or clarification. All students and parents have their teachers cell phone numbers and email addresses.

The credentialed teacher is in constant communication with parents and students, continually monitoring the standards learned and providing feedback to the parents as to academic placement of their child against students their age. Teachers use a variety of assessments including Gates-MacGinitie Reading Tests®, NWEA MAP testing, Primary Reading Assessment, Benchmark testing, curriculum embedded tests, etc. to ensure the student is making adequate progress. Small group classes, workshops, and enrichment activities are available to provide students with additional guidance and instruction, as well as giving the opportunity to work with and learn from other students. All students have access to tutors that are currently enrolled in college or are recent graduates of college. Not only do these tutors give students additional one-on-one help with their daily studies, they also serve as excellent role models.

During our students' junior and senior years, they are encouraged to take courses offered through the local community college. The credentialed teacher provides additional support in making the transition to college coursework a successful one. In addition, all students working toward enrollment at a four-year college meet regularly with the college and career counselor. The counselor keeps the students up-to-date on what is needed to achieve their goal of attending a four-year university, also monitors each student closely.

Typical students attending Heritage Peak Charter School that would be typical students at Pacific Valley Charter Academy are outlined below.

Elementary Level student

Elizabeth, a third grader, is one of the typical elementary students at the site. She along with her siblings have been home-educated their entire life. She is a bright, creative girl and this program allows her to move at her pace using a variety of learning modalities, curriculum and enrichment experiences. For the past two years her mother has been using the Classical Education model as the basis of her studies. With the guidance of the credentialed teacher, she has used a blend of trade books, hand-on kinesthetic learning, and adopted texts including Houghton Mifflin and McGraw-Hill to meet California State Content Standards. Elizabeth comes to the enrichment classes, which also serves as an opportunity for socialization for the students. Elizabeth's parents provide the direct instruction daily and the credentialed teacher provides support by way of pointing out resources that may complement the standards based program. In addition, the parents work with the teacher to develop strategies as needed for Elizabeth when learning gaps occur. The credentialed teacher is in constant communication with parents, continually monitors the standards learned and provides feedback to the parents as to academic placement of Elizabeth against students her age.

Ashley is a 5th grader that is advanced academically. She was attending a traditional school, but with the recent budget cuts her desire for enrichment activities was limited. Her teacher strived to meet her needs, but with over 30 students in the class Ashley needs were not being met. Her parents were encouraging the school to advance her a grade level so that she could be challenged, but unfortunately the school was unable or unwilling to do that. In addition to the academic needs not being met, the budget cuts also meant she was no longer able to participate in enrichment activities such as band, art, or choir. At HPCS, Ashley is able to excel academically at her own pace with her parents providing the direct daily instruction. She uses our state adopted curriculum and because she is working at her own pace, she is able to spend more time, dig deeper, research further, and learn more about the subject. This learning environment also affords her the opportunity to conduct a variety of hands-on experiments and project-based learning. She attends our on-site enrichment classes including art, drama, sci-

ence, and Lego engineering. The credentialed teacher is in constant communication with parents and continually monitor the standards learned, and finally provide feedback to the parents as to academic placement against students her age.

Anthony is a 3rd grader with an IEP who was attending a special day. He was an extreme behavior problem including throwing things and hitting people. He was sent home several times because of his behavior and the lack of teachers' aides to support the classroom teacher. Since enrolling in HPCS he has made progress both academically and behaviorally. The special education teacher has an individual plan that meets his needs, and she works closely with the parents and other teachers to ensure he is making adequate progress. He is working in curriculum that is at his level and will help meet his IEP goals. He currently meets with his special education teacher at least twice a week both individually and in small groups. His parents and teacher are able to recognize the frustration level and re-focus his negative energy before he becomes aggressive. Since enrolling in HPCS, he is interacting with peers and adults in a more positive manner. The credentialed teacher is in constant communication with parents and continually monitors the standards learned, and provide feedback to the parents as to academic placement against students his age.

Junior High School Student

Ruth is an 8th grader whose family resides in Fairfield. Mom home educates five children grades kindergarten to eighth grade. Each child has been home educated since kindergarten. Ruth along with her siblings came to Heritage Peak Vacaville this fall after having filed a private affidavit the previous years. Mom was looking for assistance and encouragement from a credentialed teacher and a learning community for her children. She wanted to make sure she was "on the right track" with their learning. She embraced the use of NWEA testing as a way to compare her children academically to their peers. She appreciates being able to use her own curriculum that meets or exceeds the California State Standards while augmenting it with Study Island, United Streaming, and other resources available through HPCS. When her credentialed teacher notices a gap in the curriculum she is able to offer additional suggestions for learning based on the California State Standards. Although the children do not attend any on-site classes at Heritage Peak, the family participates in school events such as Kite Day, Battle of the Books, Spelling Bee, and Poetry Outloud. While the family is very active within their

church, mom also appreciates the chance for the kids to meet new friends.

Sylvia is an average eighth grade student that enrolled in HPCS rather than a traditional school. Like all of our students, she uses personalized curriculum is based on the California State Content Standards in all areas. In Language Arts, she is using Prentice Hall Literature supplemented with weekly vocabulary lessons in Greek and Latin roots, writing and grammar. She also is reading novels and completing journal responses on a weekly basis. In math, she is in Holt Algebra and supplements with Study Island, Kahn Academy, and ALEKS. These supplemental along with math tutoring offered at the Vacaville school site give her opportunity to work on some of the basic math concepts she needs to master. For Social Studies and Science, this student uses the state adopted Prentice Hall texts, as well as a variety of standards based projects to address different learning modalities and stimulate creative thinking and problem solving strategies. Some of the resources include the Discovery Education's United Streaming, the Exploratorium Science experiments, and the Vacaville school site's Jr. High science lab class. These skills are also enhanced by her participation in art, drama, and debate workshops held at the site which are also California Standards based. The ability of the charter school to tailor the curriculum to meet standards and the student's needs has allowed this student to become a successful learner. The credentialed teacher is in constant communication with parents, continually monitors the standards learned, and provides feedback to the parents as to academic placement against students her age.

High School

Chloe enrolled in Heritage Peak Charter School (HPCS) as an 8th grader in 2007, the first year it opened. Chloe has been homeschooled since 2nd grade, and she has worked with her current credentialed teacher since then. As an elementary and middle school student she excelled academically, and actively participated in the available HPCS enrichment classes including Project Lead the Way's Gateway to Technology class. She continued to excel throughout high school where she attended HPCS's college prep courses, received one-on-one support from her teachers, and utilized available tutoring when needed. Her teacher used textbooks and curriculum approved the state and that meet the UC guidelines. In addition to the classes she attended at HPCS during high school, she also attended Solano Community College. She has earned over 60 college credits and is anticipating receiving an AA degree in Criminal Justice this spring.

Throughout her four years of high school, she had additional support from Heritage Peak's Academic Counselor. This fall during her senior year, the counselor guided her through the application process and set up tours at universities. Recently, Chloe received notification that she had been accepted to all three colleges she applied to, and she will be entering Fresno State University as junior majoring criminology. Chloe is an example of a student who is a high achiever, and the multi-faceted educational program that Heritage Peak offers meets her needs.

Students like Chloe who have the strong academic skills needed to be successful in rigorous college prep courses are immediately placed in the appropriate classes to keep them on track for eligibility to a four year university. English courses use the state approved McDougal Littell series. These texts are supported by a well-rounded writing program, as well as dozens of novels recommended by the state. For science, our highly qualified staff use state adopted materials (Glencoe) and provide weekly, small group lab opportunities that allow students to roll up their sleeves and dig deeper into the concepts they have been studying. These small group settings also allow the students excellent access to their instructors and provide many opportunities for raising questions and discussions. All other subjects are taught in a similar manner, using state adopted materials, support materials that include on-line programs, projects, research and discussions.

Austin and Luke are brothers that enrolled in the Vacaville campus several years ago after researching other high schools. They choose HPCS because of the small school atmosphere and the classes we offer, namely Project Lead The Way. Luke and Austin are part of a military family that is used to moving often to follow dad from base to base. Mom has home educated them since kindergarten, but upon them entering high school she realized the boys needed a way to receive A – G credit to be able to meet the entrance requirements for the University of California system. To meet these requirements, the boys take advantage of every College Prep class we offer on campus. They also participate in other activities such as the Stock Market Game, volunteer for fundraisers, leadership, and yearbook. In addition to on campus classes, the boys use a variety of modalities at home. They take classes online, use traditional textbooks, and both take classes at the local community college. Outside of academics, both boys are actively involved in music lessons and taekwondo.

Victor enrolled in HPCS's Vacaville Campus this year. He was supposed to have graduated from high school in June 2011, but unfortunately he was 15 credits shy of meeting the necessary 220 credits to graduate. He is a bright student who did not put forth effort at the traditional high school and let many opportunities slip by. He began skipping school and became involved in gang activity. The large high school site offered many distractions and opportunities to make bad choices. Without the help of an academic counselor or any encouragement from teachers, he felt that there was no way he would be able to make up those credits; therefore, he gave up and did not try. A friend encouraged him to go back in school and to give Heritage Peak a try. In the smaller setting, Victor quickly connected with his teacher and other staff members. He chose to not only take the English classes he needs to graduate, but is also taking college prep courses such as biology. He also is an active member of the Debate Club, chooses to come to tutoring sessions even when he is not required to attend, and is a mentor to other students that are on the same track he was on at the traditional school. Because of the opportunities available in the smaller setting, the encouragement of his teachers, and the extra guidance and instruction to develop discipline and study skills, he is planning to pursue a career in the medical field after he graduates in June.

Concurrent Enrollment

Students are encouraged to pursue concurrent enrollment at the community college as soon as they are prepared for the curriculum. Students meeting the minimum requirements of the college and upon approval by the staff and family, the student may take courses at the community college to augment the learning at Pacific Valley Charter Academy. Staff will be assigned specifically to support the students at the colleges that they attend ensuring that they are successful. Techniques to support the students include accompanying the student to the school, meeting the professor and ensuring the right textbook was purchased, supporting homework from the college by email, phone, or in person, and helping the student plan the semester using the syllabus. The teachers also ensure the students are aware of and familiar with all of the academic supporting programs at the college campus.

Instructional Methods

Instruction in the independent study model developed by PCI resembles the comprehensive brick and mortar college setting. Students will develop individualized plans that will include work to be completed alone, assignments to be completed in small groups, and some coursework requiring classroom instruction. At work for every student and parent is the use of Explicit Instruction. The key to this instructional methodology includes three major parts; 'I do it, we do it, you do it'. This notion is mirrors the medical doctor methodology of learning; 'See one, do one, teach one'.

Professional Learning Communities

The staff of Pacific Valley Charter Academy relies on Professional Learning Communities as outlined by DuFours to ensure that every student is learning. Using the three Big Ideas including:

- You believe the fundamental purpose of your school or district is to ensure all students learn at high levels and you are committed to become a lifelong learner to make this a reality
- You think collaborative teamwork and interdependence among teachers and administrators is a great way to continuously improve your school or district
- You are hungry for evidence that students are learning and are ready to respond immediately when timely feedback tells you otherwise

The staff at the Vacaville Learning Center currently uses Professional Learning Communities to maximize student achievement

Small Group Instruction

Students will attend classes part time based on the rigor of the curriculum and the individual needs of the students. Because of the need for a well-rounded experience, the classes range from 90 minutes to 120 minutes to allow for setup and completion of the standards-based lesson. For instance, for the physics class, the high school students will have time to setup, explore, learn, and assess without being rushed to the next class. This collegiate model is similar to block scheduling model used by some high schools.

Students in grades K-5 will be provided with multiple back-to-back classes over two hours including coursework in programs like Lego Engineering, writing classes, math classes, science classes, and one-on-one tutoring with the parent and the teacher. Parents and teachers can also use this time as an opportunity to collaborate on best practices. This bi-weekly and weekly opportunity will increase the effectiveness of the teaching completed by the parent during daily, at-home instruction. Much like the Blueprint outlined by the State of California, the teachers at Pacific Valley Charter Academy work diligently with all families based on need to support standards based academic instruction in the home to meet the mastery goals of the school.

The students in grades 6-8 will also have small group instruction that will include mathematics, science, and writing. The students will work in a block of time with breaks so they enjoy the process, but also are fresh for each section of the class. The students will also have the opportunity to take the experiences from the small group instruction to field trips.

Pacific Valley Charter Academy will rely heavily on data to determine how well students perform and what re-teaching will need to occur in the coursework. Yet, the teachers realize the importance of well planned, FIRST TIME instruction to limit the need for re-teaching. Students assessed using benchmark examinations will have the assessments scanned into EduSoft or another assessment management system such as SchoolNet (Pearson) and then analyzed for trends as a group and individual gaps in the various subject areas. All students, including Special Education and English Language Learners, will be assessed and be monitored by the appropriate instructional staff to determine modifications, if needed, for individual students.

The population that Pacific Valley Charter Academy expects to serve requires staff to be vigilant in following up with students immediately on every assessment. The teachers will monitor the pacing, the understanding of the assignments, and the overall learning progress that the student is achieving. In addition, because many students will be developing study habits for the first time at Pacific Valley Charter Academy, individualized emphasis on planning one's day and achieving that plan will be key to coursework being completed. Each student has a clear path of courses, curriculum, assignments, and support materials.

Special needs students will be mainstreamed to the extent possible under their IEP under the oversight of the Special Education staff. Resource specialist(s) will work directly with these students. Teachers will meet with parents, ~~and the~~ Special Education Coordinator and District special education staff to develop annual IEP or 504 goals. Further, Special Education related information is included below.

Teachers will supplement the instructional program for each student with field trips, web-based opportunities, and/or small group instruction. Students will also have program opportunities including various clubs and programs initiated by students.

Academic Triangle ©

Pacific Valley Charter Academy will rely on three critical elements to successfully educate the students; the parent, the student, and the highly qualified teacher. The dynamics surrounding this vital geometry assists in ensuring that the student and parent both realize the scope of the overarching goals for all students at the school. The teacher develops the directional elements to help the student develop the personal learning tool to successfully complete the curriculum.

Western Association of Schools and Colleges Accreditation

Pacific Valley Charter Academy will seek accreditation through the Western Association of Schools and Colleges (WASC) and will apply in the first year of operation for candidacy. Pacific Charter Institute staff understands the process of WASC accreditation coupled with course approval for A-G courses. With that, the school will offer only K-8 instruction for the first year of operation. The rationale includes ensuring that the students enrolled will have the opportunity to have A-G classes approved, which can take up to a year. Pacific Valley Charter Academy will follow the same clear path established by the other PCI School, Heritage Peak Charter School, to demonstrate through the self-study the key components critical to ensuring that all students will learn. The WASC review conducted by Pacific Valley Charter Academy will accurately outline the best practices of the school in establishing a clear vision, highlighting a defined purpose, illustrating sound governance, boasting solid leadership, and focusing all resources towards student achievement. The WASC self-study process will also ensure that students enrolled at Pacific Valley Charter Academy will be eligible for UC and CSU through the a-g course approval process. The school will demonstrate how the usage of standards-based cur-

riculum coupled with solid instructional practices will result in successful assessment results. HPCS earned a rare six-year accreditation and that will be the goal of Pacific Valley Charter Academy as well. Currently the Vacaville Learning Center has A-G approved courses at all grade levels and all subject areas.

Technology

Pacific Valley Charter Academy will use technology to support student learning. The school will utilize software programs and resources aligned with the California standards and CTAP (CLERN). These programs include Study Island, ALEKS, Odyssey, NWEA, and EduSoft (or SchoolNet). Students will also have access to Project Lead the Way and Gateway to Technology. In addition, students will use desktop programs including Word, Excel, and PowerPoint. The school will use online instructional tools from the major publishers including Glencoe and Prentice Hall. The school will offer course offerings using UC approved online providers. Finally, students will use foreign language support programs including Rosetta Stone. STEM instruction is key as well through Project Lead the Way and Gateway to Technology. The Vacaville Learning Center currently offers ALL of the aforementioned programs and curriculum.

College and Career Advising

Pacific Valley Charter Academy will be able to adapt to every student that chooses to enroll with the school. Because of the breadth of students' abilities and interests, the College and Career Counselor will spearhead the counseling component to create the best possible opportunities. Pacific Valley Charter Academy will include a variety of choices for students including college field trips, collegiate mentoring, planning programs, and individual meetings with the families. The counseling team will also be in constant communication between teachers and staff regarding each student. The Vacaville Learning Center currently offers ALL of the aforementioned programs and curriculum.

At Risk Students: Plan for Students who are Academically Low Achieving

All students will have access to the standards-based state adopted curriculum along with the support services throughout the school. The students will be assessed in their reading using the Gates-MacGinitie Reading Tests® (GMRT®) and/or the NWEA assess-

ment to determine their independent and instructional reading levels. The students determined two or more grade levels below in reading will be given the National Geographic Hampton Brown placement assessment as well. Along with the academic assessment, the student's transcripts will be analyzed to determine the shortcomings both by grades received and completion of credits. NWEA MAP assessment will be used as a formative tool to determine if gaps exist in students' mathematical background. Teachers will have the ability to fill the gap using Compass Odyssey with the appropriate curriculum to support the student. This proven program is currently being piloted by Heritage Peak Charter School after the success of Poway Unified School District.

The staff also interviews students and parents to determine whether other factors will interfere with the academic progress expected at the school. These same mechanisms that are used to determine whether a student is at-risk will also be used to exit the student from this category as all of these elements begin to align with the attributes of the successful students at the school.

The school will also use authentic assessments to determine the academic level of the students. Students will be provided tutors as needed from UC Davis, CSU Sacramento Solano College and other colleges and universities as well as experienced, qualified individuals to supplement the classroom support, as well opportunities to participate in additional classroom experiences at the school site. Since the school will be guided by the California standards, the continuity throughout the organization for each deficiency of the student will be identified and re-taught. It will remain imperative that the students remain supported in their daily work while catching up with work that they do not understand. All Pacific Valley Charter Academy students will remain competitive with their peers at the traditional public schools while maintaining a focus their future goals. The most effective tool used to ensure this will be the consistent teach and re-teach strategies employed by each instructor.

Staff development for the at-risk students as well as the low achieving students will be a critical element. The language arts and mathematics experts will conduct staff development regularly to review specific students, as well as developing overarching strategies for the teachers to employ to further the students academically towards proficiency. Staff development will include using the most effective tools including results from embedded assessments, formative work from MAP, reading strategies, language acquisition and

writing strategies, as well as effectively using the online resources such as NWEA and Odyssey.

Response to Intervention

Pacific Valley Charter Academy teachers and staff will utilize Response to Intervention Model (RTI) to ensure efforts are made to ensure learning is occurring if students do not have success within the current instruction. After appropriately utilizing the RTI process, students requiring further modifications other than additional instruction and re-teaching will trigger the Student Study Team (SST). The SST uses a systematic problem solving approach to assist students with concerns that are interfering with success. The SST clarifies problems and concerns; develops strategies and organizes resources; provides a system for school accountability; and serves to assist and counsel the parent, teacher, and student. An SST is a general education function, but at Pacific Valley Charter Academy, the special education personnel become involved for continuity. Many students can benefit from an SST, including, but not limited to, those students achieving below or above grade level and students who have experienced emotional trauma, behavioral issues, or language issues.

Anyone who has a concern for a student can refer that student to an SST based on the RTI model for consideration. Anyone who is connected with that student can be included in the SST to provide information to share about the student's strengths, concerns, and strategies that have been used in the past. These people may include, but are not limited to, teachers, parents, counselors, doctors, administration, social workers, and law enforcement. The meeting is designed to bring out the best in the people involved. After implementation of an SST plan and follow up, if the problem continues, revisions to the plan may be discussed, or if necessary, a referral for special education or Section 504 assessment might be deemed necessary by the SST.

Students Achieving Above Grade Level

In order to provide effective programs and curriculum for academically high achieving and gifted students, Pacific Valley Charter Academy will offer a continuum of approaches and options that can meet a wide range of abilities, interests, and learning styles. The students will be assessed in their reading using the Gates-MacGinitie Reading Tests® (GMRT®) to determine their level above grade level in reading. NWEA MAP assessment

will be used as a formative tool to determine the areas in which the student is excelling in the curriculum. Teachers will have the ability to build advanced learning goals using a variety of tools including individualized instruction, concurrent enrollment, curriculum, and online support age appropriate for the student. **The Vacaville Learning Center currently provides this individualized support for students.**

The students will be assessed based on their grades from their previous schools, as well as interviews with the students and their parents, and their STAR scores. Since the approach is already individualized, the students will be accelerated into the higher-level curriculum and classes. Students in the elementary level working above grade level will be put into materials that are academically appropriate, while also appropriate for the age level. For instance, a 3rd grade student performing at the 6th grade level in mathematics will be provided with the support materials from ALEKS, Study Island, and Prentice Hall and direct instruction from teachers and tutors. Moreover, such approaches and options include a variety of combination of acceleration. At the junior high school level, a gifted seventh grade math student might enroll in geometry. At the high school level, an eleventh grade student may concurrently enroll in credit bearing (college level) English class at Solano College or some other post-secondary instruction. Pacific Valley Charter Academy will also have academically enriching programs including Project Lead the Way (science, math, and engineering) and academic competitions.

English Language Learners

Pacific Valley Charter Academy will be committed to all students including English Language Learners (ELL). Pacific Valley Charter Academy will meet all applicable legal requirements for ELL as it pertains to annual notification to parents, student identification, placement, program options, ELL and core content instruction, teacher qualifications, and training, re-classification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirement. Pacific Valley Charter Academy will implement policies to assure proper placement, evaluation, and communication regarding ELL and the rights of students and parents. Curriculum for ELL students will include the proven National Geographic Hampton Brown Inside and Edge programs to maximize learning.

Home Language Survey

Pacific Valley Charter Academy will administer the home language survey at the student's initial enrollment.

California English Language Development Test (CELDT) Testing

All students who indicate that their home language is other than English will be CELDT tested within thirty days of the initial enrollment, if entering a California public school for the first time, or never having taken a CELDT test for another reason, and at least annually thereafter between July 1 and October 31st until re-designating as fluent English proficient.

Reclassification Procedures

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

- Assessment of language proficiency using an objective assessment instrument including, but not limited to, the CELDT.
- Participation of the pupil's teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil to evaluate the pupil's curriculum mastery.
- Parental opinion and consultation, achieved through notice to parents or guardians of the language reclassification and placement including a description of the reclassification process and the parents' opportunity to participate, and encouragement of the participation of parents or guardians in the school district's reclassification procedure including seeking their opinion and consultation during the reclassification process.
- Comparison of the pupil's performance in basic skills against an empirically established range of performance and basic skills based upon the performance of English proficient pupils of the same age that demonstrate to other that the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English.

- Teachers to measure progress regarding comprehension, fluency, vocabulary, pronunciation, and grammar usage will use the student Oral Language Observation Matrix.

Pacific Valley Charter Academy will notify all parents of its responsibility for CELDT testing and of CELDT results within thirty days of receiving results from publisher. The CELDT will be used to fulfill any requirements at the state or federal level.

Strategies for ELL Instruction and Intervention

The instructional design model to be used at Pacific Valley Charter Academy will place a heavy emphasis on differentiated instruction to meet the needs of the ELL population based on academic and language readiness. Through the well-defined professional development plan that accompanies this instructional design model, teachers will be trained on a variety of instructional strategies to be used specifically with ELL students. These strategies include SDAIE, small group instruction (cooperative learning), support materials from state adopted materials, Academic Language Scaffolding, and/or individualized student support with an English language learner expert. The English learner expert would conduct regular staff development sessions with the staff to review current practices and develop strategies for each student. After using a placement test including the GMRT and/or NWEA, students that require more intensive intervention in language arts may also use the National Geographic Hampton Brown Edge and Inside programs' specifically designed for English language learners and individuals struggling to read.

Cooperative learning will offer students at the school the opportunity to learn and teach strategies regarding the curriculum to each other. This powerful tool will enable students the opportunity to increase their academic skills in a safe environment, while building learning skills using college preparatory materials. Heritage Peak Charter School utilizes cooperative learning and determined the value as more ELL students enter into Algebra 2 and Pre-Calculus than students not benefiting from this strategy.

In order for the ELL students to remain current with their peers, Pacific Valley Charter Academy emphasizes the state adopted materials to ensure have the same core base of knowledge. Beyond that, the ELL students are provided with the supplementary materials as well to create extensions and scaffolding to the curriculum for better understanding of the materials.

The use of Academic Language Scaffolding demonstrates to ELL students the step-by-step processes to complete tasks on their own. Scaffolding includes several linked strategies including modeling academic language, contextualizing academic language using visuals, gestures, and demonstrations and using hands-on learning activities that involve academic language. Because the students are learning in the independent study model, the materials will be provided in a variety of methods including online and DVD for visual contextual materials, checkout via the school, library, or local organizations for materials requiring hands-on application.

Because of the large number of ELL students in Solano County, the school will also utilize an ELL specialist to assist students in strategies, curriculum support, and school-wide dissemination of best practices for individual teachers to use with their students.

Services for Students under the IDEIA

Overview

Plan for Students with Disabilities

Overview

Pacific Valley Charter Academy shall comply with all applicable state and federal laws in serving students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act ("Section 504"), the Americans with Disabilities Act ("ADA") and the Individuals with Disabilities in Education Improvement Act ("IDEIA"). Pacific Valley Charter Academy shall remain, by default, a public school of the District for purposes of Special Education purposes pursuant to Education Code 47641(b). However, Pacific Valley Charter Academy reserves the right, in the future to make written verifiable assurances that Pacific Valley Charter Academy shall become an independent LEA and join a SELPA pursuant to Education Code 47641(a) either on its own or with a grouping of charter school LEA's as a consortium. In the event the Charter School applies for and is accepted into a SELPA as an LEA member, the Charter School would then receive state and federal revenues directly, in accordance with the SELPA's allocation plan. The Charter School shall comply with all state and federal laws related to the provision of special education instruction and related services.

The Charter School shall be solely responsible for its compliance with Section 504 and the ADA. The facilities to be utilized by the Charter School shall be accessible for all students with disabilities.

Pacific Valley Charter Academy shall comply with an MOU between the District and the Charter School related to the delineation of duties between the District and Pacific Valley Charter Academy. The Charter School has attached a proposed MOU with standard language that reflects the agreements between most school districts and charter schools relating to District provision of special education services to Charter School pupils. However, the Charter School remains open to negotiating additional changes as necessary to meet the District's interests. ~~The Charter School anticipates the MOU shall include the following arrangement, whereby the District shall forward all state and federal special education revenues generated by Charter School enrollment to the Charter School and Pacific Valley Charter Academy shall provide all necessary special education instruction and related services in the same manner as special education services are provided in any other school in the District. Pacific Valley Charter Academy will use the Charter School Block Grant Allocation to make up any shortfalls from the special education revenues received. This system is already successfully employed with Twin Rivers Unified School District for the last seven years and currently being used by the Vacaville Learning Center. Pacific Valley Charter Academy is ready to discuss this arrangement, or a mutually agreed upon reasonable alternative in our discussions with the District to develop the MOU.~~

Services for Students under the "IDEIA"

~~The following description regarding how special education and related services will be provided and funded is being proposed by the Charter School for the sole purpose of providing a reasonably comprehensive description of the special education program in the Charter Petition, and is not binding on the District. The specific manner in which special education and related services will be provided and funded shall be set forth in a Memorandum of Understanding ("MOU"), delineating the respective responsibilities of the Charter School and the District, which MOU shall be executed prior to the commencement of operation, by a date agreed upon by the parties. The following provisions are meant to summarize the Charter School Petitioner's understanding of the manner in which special education instruction and related services shall be provided by the Charter School and the District.~~

~~The Charter School intends to provide special education instruction and related services in accordance with the provision of special education instruction and related services in accordance with the IDEIA, and Education Code requirements.~~

~~The Charter School will provide services for special education students enrolled in the Charter School. The Charter School will develop policies and procedures in seeking out and identifying and serving students who may qualify for special education programs and services and for responding to record requests and parent complaints, and maintaining the confidentiality of pupil records. The Charter School will be exclusively responsible for the provision of services (including but not limited to referral, identification, assessment, case management, Individualized Education Plan ("IEP") development, modification and implementation).~~

Staffing

~~All special education services at the Charter School will be delivered by individuals or agencies qualified to provide special education services as required by California's Education Code and the IDEIA. Charter School staff shall participate in in-service training relating to special education by the Charter School.~~

~~The Charter School will be responsible for the hiring, training, and employment of site staff necessary to provide special education services to its students, including, without limitation, special education teachers, paraprofessionals, and resource specialists. The Charter School shall ensure that all special education staff hired by the Charter School is qualified, as well as meet all legal requirements. The Charter School shall be responsible for the hiring, training, and employment of itinerant staff necessary to provide special education services to Charter School students, including, without limitation, speech therapists, occupational therapists, behavioral therapists, and psychologists. Documentation of qualifications shall be maintained on site for inspection.~~

Response to Requests

~~The Charter School shall promptly address all requests it receives for assessment, services, complaints, IEP meetings, reimbursement, compensatory education, mediation, and/or due process, whether these requests are verbal or in writing.~~

Identification and Referral

~~The Charter School shall have the responsibility to identify, refer, and work cooperatively in locating Charter School students who have or may have exceptional needs that qualify them to receive special education services. The Charter School will adopt and implement policies and procedures to ensure timely identification and referral of students who have, or may have, such exceptional needs. A pupil shall be referred by the Charter School for special education only after the resources of the regular education program have been considered, and where appropriate, utilized.~~

~~The Charter School will follow child find procedures to identify all students who may require assessment to consider special education eligibility and special education and related services in the case that general education interventions do not provide a free appropriate public education to the student in question.~~

Assessments

~~The term "assessments" shall have the same meaning as the term "evaluation" in the IDEIA, as provided in Section 1414, Title 20 of the United States Code. The Charter School will determine what assessments, if any, are necessary and arrange for such assessments for referred or eligible students in accordance with applicable law. The Charter School shall work to obtain parent/guardian consent to assess Charter School students when it suspects the student may have a qualifying disability under the IDEIA.~~

IEP Meetings

~~The Charter School shall arrange and notice the necessary IEP meetings. IEP team membership shall be in compliance with state and federal law. The Charter School shall be responsible for having the following individuals in attendance at the IEP meetings: the Principal and/or the Charter School designated representative with appropriate administrative authority as required by the IDEIA; the student's special education teacher; the student's general education teacher if the student is or may be in a regular education classroom; the student, if appropriate; and other Charter School representatives who are knowledgeable about the regular education program at the Charter School and/or about the student. The Charter School shall also arrange for the attendance or participation of all other necessary staff that may include, but are not limited to, an appropriate administrator to comply with the requirements of the IDEIA, a speech therapist, psychologist,~~

~~resource specialist, and behavior specialist; and shall document the IEP meeting and provide the notice of parental rights.~~

IEP Development

~~The Charter School understands that the decisions regarding eligibility, goals/objectives, program, services, placement, and exit from special education shall be the decision of the IEP team, pursuant to the IEP process. Programs, services and placements shall be provided to all eligible Charter School students in accordance with the policies and procedures of the Charter School and requirements of State and Federal law.~~

IEP Implementation

~~The Charter School shall be responsible for implementation of IEPs and supervision of services. The Charter School shall provide the parents with timely reports on the student's progress as provided in the student's IEP, and at least quarterly or as frequently as progress reports are provided for the Charter School's non-special education students, whichever is more. The Charter School shall also provide all home school coordination and information. The Charter School shall also be responsible for providing all curriculum, classroom materials, and modifications and accommodations.~~

Interim and Initial Placements of New Charter School Students

~~For students who enroll during the school year in the Charter School from another school district with a current IEP, the Charter School shall conduct an IEP meeting within thirty days. Prior to such meeting and pending agreement on a new IEP, the Charter School shall implement the existing IEP at the Charter School, to the extent practicable or as otherwise agreed between the Charter School and parent/guardian.~~

Non Public Placements/Non Public Agencies

~~The Charter School shall be solely responsible for selecting, contracting with, and overseeing all non public schools and non public agencies used to serve special education students. The Charter School shall immediately address all parental requests for services from non public schools or agencies, unilateral placements, and/or requests for reimbursement.~~

~~Non-discrimination~~

~~It is understood and agreed that all children will have access to the Charter School and no student shall be denied admission nor counseled out of the Charter School due to the nature, extent, or severity of his/her disability or due to the student's request for, or actual need for, special education services.~~

~~Parent/Guardian Concerns and Complaints~~

~~The Charter School shall adopt policies and procedures for responding to parental concerns or complaints related to special education services. The Charter School shall receive any concerns raised by parents/guardians regarding related services and rights. The Charter School's designated representative shall investigate as necessary, respond to, and address the parent/guardian concern or complaint. The Charter School shall respond to any complaint to or investigation by the California Department of Education, the United States Department of Education, Office of Civil Rights or any other agency.~~

~~Due Process Hearings~~

~~The Charter School may initiate a due process hearing or request for mediation with respect to a student enrolled in Charter School if it determines such action is legally necessary or advisable. In the event that the parents/guardians file for a due process hearing, or request mediation, the Charter School shall defend the case. In the event that the Charter School determines that legal representation is needed, it shall select appropriate legal counsel.~~

Section 504 of the Rehabilitation Act

The Charter School recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program of the Charter School. Any student, who has an objectively identified disability which substantially limits a major life activity including but not limited to learning, is eligible for accommodation by the Charter School.

A 504 team will be assembled by the Principal and shall include the parent/guardian, the student (where appropriate) and other qualified persons knowledgeable about the stu-

dent, the meaning of the evaluation data, placement options, and accommodations. The 504 team will review the student's existing records; including academic, social and behavioral records, and is responsible for making a determination as to whether an evaluation for 504 services is appropriate. If the student has already been evaluated under the IDEIA but found ineligible for special education instruction or related services under the IDEIA, those evaluations may be used to help determine eligibility under Section 504. The student evaluation shall be carried out by the 504 team, which will evaluate the nature of the student's disability and the impact upon the student's education. This evaluation will include consideration of any behaviors that interfere with regular participation in the educational program and/or activities. The 504 team may also consider the following information in its evaluation:

- Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel.
- Tests and other evaluation materials including those tailored to assess specific areas of educational need, and not merely those which are designed to provide a single general intelligence quotient.
- Tests are selected and administered to ensure that when a test is administered to a student with impaired sensory, manual or speaking skills, the test results accurately reflect the student's aptitude or achievement level, or whatever factor the test purports to measure, rather than reflecting the student's impaired sensory, manual or speaking skills.

The final determination of whether the student will or will not be identified as a person with a disability is made by the 504 team in writing and notice is given in writing to the parent or guardian of the student in their primary language along with the procedural safeguards available to them. If during the evaluation, the 504 team obtains information indicating possible eligibility of the student for special education per the IDEIA, a referral for assessment under the IDEIA will be made by the 504 team.

If the student is found by the 504 team to have a disability under Section 504, the 504 team shall be responsible for determining what, if any, accommodations or services are needed to ensure that the student receives a free and appropriate public education ("FAPE"). In developing the 504 Plan, the 504 team shall consider all relevant information utilized during the evaluation of the student, drawing upon a variety of sources, including, but not limited to, assessments conducted by the Charter School's professional staff.

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

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

Instructional Process for Students with Disabilities

~~Upon enrollment, students that have been identified as special education will have their enrollment packet forwarded to the Special Education coordinator. Typically, the Special Education coordinator will request the special education file (filed confidentially in school districts) for the student. During this time, the Special Education Coordinator will arrange an IEP to ensure the placement is appropriate for the student. The IEP is held and specific plans are put into place for the student, with the school offering additional services to the special education students specific to the benchmarks outlined in the IEP.~~

~~HPCS will contract part-time with special education teachers to manage the students until such time that the position requires a full-time teacher. Initially, the Special Education Coordinator for PCI will manage the caseloads upon opening of the school. Since many of the students currently are already under HPCS, their IEP and the resources allocated are already budgeted under PCI.~~

~~Teachers of students identified as having gaps in their learning but not identified as special education will have modifications completed using the Student Study Team Pre-modification packet as the first step with the Response to Intervention (RTI). The teachers record the specific changes that they make and any progress or lack of progress that occurred during the following 4-6 week period. Students that do not make improvement with adjusted direct instruction and curriculum will be referred to the Special Education team for testing and an initial IEP. Students that qualify will be processed through the district MIS system and the students begin using the agreed-upon curriculum and instructional techniques. Some of the curriculums available to students beyond the state-adopted materials such as but not limited to Language!, Compass Learning, and Barton Reading System. Students that require more resources than available at Pacific Valley~~

~~Charter Academy will be addressed at the IEP with resolution to this need determined at that time as agreed by the IEP team and outlined in the Parent Handbook.~~

~~Staff development for all of the teachers regarding special education includes the various appropriate interventions for SST's. In addition, the teachers will work individually with the special education coordinator to develop individual strategies for specific cases based on the IEP benchmarks. Students with IEP's will have the benchmarks assessed monthly to ensure adequate progress is occurring and the progress forms are forwarded to the special education coordinator for review and documentation for the next IEP meeting.~~

SECTION IV

MEASURABLE STUDENT OUTCOMES AND USES OF DATA

“The measurable pupil outcomes identified for use by the charter school. ‘Pupil outcomes,’ for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both school-wide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607.”

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

Pacific Valley Charter Academy will meet all statewide standards and conduct all required state mandated student assessments as required by Education Code Section 47605(c)(1). This includes but is not limited to STAR, CAHSEE, CEDLT and any other requirements of NCLB. Pacific Valley Charter Academy will meet the requirements for renewal if it meets the requirements of Section 47607(b) of the Education Code.

Pacific Valley Charter Academy outcomes are aligned with the mission, curriculum, and assessment of the school. The Pacific Valley Charter Academy program is designed to help all students achieve a high level of academic success and be prepared for entry into four-year colleges and universities. Students will demonstrate the following core academic and lifelong learning skills, which have been developed to align with the California State Curriculum standards and the Common Core Standards as they are developed and implemented. The assessment methods used are those required by state or federal law, those required by external agencies (e.g. College Board) and those created/adopted by Pacific Valley Charter Academy. The assessment developed / adopted by Pacific Valley Charter Academy faculty and administration will be subject to review by the Pacific Charter Institute Board of Directors which oversees the school.

Some desired pupil outcomes are objectively measurable. For Pacific Valley Charter Academy, these include acquiring the knowledge specified in the new state standards

for public education as currently measured by the California Standards Test (CST), passing the California high School Exit Exam (CAHSEE), taking and passing the classes necessary to be eligible for admission to the UC (a-g courses), and taking the ACT and/or SAT for students intent on four year colleges. Our primary measurable goal in all categories will compare favorably with other schools in the region with similar demographics.

Teachers will also measure progress in the traditional manner, including quizzes, essays, projects, performances, portfolios, exhibitions, tests, benchmark assessments (EduSoft) and exams. Progress will be discussed on a regular basis with parents and students. Kindergarten students take an in-house standards based assessment to measure learning to a specific time period. This piece is both informative and helps steer the teacher and parent towards the direction for future academic goals and strategies. Students in grades 6-12 take embedded assessments in their curriculum including sciences, language arts, and social studies. These assessments occur in periods no less than every six weeks.

There are additional academic and non-academic pupil outcomes and qualities, however, which while not objectively measurable are still considered vitally important. Specifically, students will:

- Demonstrate an understanding of their place in the world through cultural and historical knowledge by applying field trip experiences provided by Pacific Valley Charter Academy in context of written and oral assignments
- Demonstrate an understanding of their place in nature thorough scientific and mathematical knowledge through hands-on coursework and seminars
- Apply mathematics as a language which helps us understand natural phenomena and of the role of mathematics in human endeavors (evidenced via applications in other disciplines and identified proportion of problem solving exercises) through science and math programs offered by Pacific Valley Charter Academy
- Communicate effectively, both orally and in writing as evidenced by writing assessments, external assessments, and performance and competitions such as school wide writing assignments and newsletter contributions

- Demonstrate understanding that appropriate behavior is required in a diverse community of scholars (evidenced via the student and parent handbook guidelines) by interacting with individuals from all backgrounds both on the school site and on field trips organized by the school
- Develop a sense of responsibility for their community (evidenced via parent and student participation in activities and student affairs) by continual interaction with community members
- Demonstrate the use of research skills to study topics in depth (evidenced via science fair and other external competitions, and through classroom assignments)
- Show technological literacy to access, organize, research, and present information, and knowledge (evidenced via projected submission requirements and Modern Language Association production standards used in class assignments)
- Establish and defend a thesis or arguments (evidenced via internal and external writing rubrics)
- Demonstrate academic competencies using benchmark assessments in grades K-12 to ensure students advance in their academic readiness for the next grade

Overview of Subject Matter Competencies

Pacific Valley Charter Academy expects its graduates to demonstrate a mastery of specific subject competencies. The following is a list of initial subject matter competencies that will continue to be revised and improved. The competencies are based on the state standards, as well as on in-depth discussions on what students should know and be able to do, and the entry level expectations for two and four-year colleges.

English (K-12 composite educational outcomes)

In English students will:

- Understand and appreciate literature and the arts as expressions of and ways to interpret the human experience

- Obtain meaning from a variety of complex texts
- Be well read based on grade level as demonstrated by reading a variety of literary works representing different genres
- Make informed interpretations of the purpose and meaning of literary works
- Convey interpretations of personal experience gleaned from literature
- Explain how literature from various cultural / ethnic groups expresses both distinctive and similar values, experiences, struggles, and contributions
- Evaluate how the form and content of a literary work contributes to its message and impact

History (K-12 composite educational outcomes)

In history students will:

- Understand and apply civic, historical and geographical knowledge in order to become a citizen in a diverse world
- Apply information, concepts, and perspectives from the history of our nation and the history and development of other nations
- Deliberate on public issues which arise in a representative democracy
- Use historical research to ask and answer questions about the past
- Recognize that regions can be defined in cultural, physical, or political terms
- Accurately interpret and summarize information from maps, charts, and graphs
- Understand the building blocks of representative government
- Understand the evolution of early civilizations and the development of new ideas, institutions, and systems of thought
- Recognize that events in the past inform the present
- Understand the rich and varied achievements of diverse peoples

Math (K-12 composite educational outcomes)

In math students will:

- Construct mathematical models
- Use a variety of problem solving strategies
- Use advanced computing procedures
- Understand and apply advanced properties of numbers
- Understand and apply advanced methods of measurement
- Understand and apply advanced concepts of geometry
- Understand and apply advanced concepts of functions and algebra
- Understand and apply advanced concepts of probability and statistics
- Understand and apply advanced concepts of data analysis

Science (K-12 composite educational outcomes)

In science students will:

- Analyze real world phenomena using scientific concepts, principles, and process (e.g., cause and effect, energy, and systems)
- Use the scientific method to ask and answer questions about the world
- Understand essential ideas about the composition and structure of the universe and the motions of objects in it
- Know basic Earth, biological, physical, and chemical concepts
- Understand basic concepts of matter and energy, motion, and forces

Art (K-12 composite educational outcomes)

In art students will:

- Participate in artistic activities
- Make informed interpretations of the purpose and meaning of artistic works

- Convey interpretations of personal experiences in expressive forms
- Explain how art from various cultural/ethnic groups expresses both distinctive and similar values, experiences, struggles, and contributions
- Explain how the form and content of an artistic work contributes to its message and impact
- Explain the role of the artist in providing services to the community and world

Foreign Language (grades 9-12)

In foreign language students will:

- Obtain sufficient verbal fluency and written proficiency to communicate effectively in a foreign language
- Understand and appreciate the culture underlying a foreign language

Technology (K-12 composite educational outcomes)

In technology students will:

- Use technology to increase learning
- Understand and use current word processing, spreadsheets, databases, and presentation software
- Understand the use of the Internet
- Understand how technology can be of service to the community

Lifelong Learning Skills

Pacific Valley Charter Academy believes students need to develop skills that will enable them to pursue their own path of learning throughout their adult lives in becoming self-motivated, competent, and lifelong learners through a mastery of the following skills:

Character Development: To understand and accept the centrality of integrity in all aspects of life and learning and to appreciate the nature and value of moral courage as a necessary instrument of an ethical life.

Communication: The ability to listen, speak, read, and write as appropriate to the intended audience in school, at home, or in the community.

Cooperation: The ability to work productively with school peers, family members, and community members in order to complete assigned projects.

Critical Thinking: The ability to form a reasonable opinion on matters requiring the active assessment and comparison of data, such as those contained in newspapers, election material, and other material available and pertinent to socially aware citizens.

Caring and Respect: The ability to accept and demonstrate kindness and appreciation for cultural, linguistic, and socio-economic differences among peers and community members.

Citizenship: The ability to plan and implement a project in service to the School and the larger community.

Conflict Resolution: The ability to resolve differences of opinion in a civil and fair manner.

Responsibility: The ability to maintain the highest personal standards in studies, character development, and citizenship.

Study Skills: The ability to utilize note-taking strategies, questioning strategies, library research skills, time management, and test taking strategies.

Technological Literacy: The ability to make effective and responsible use of technology to enhance learning and academic performance.

These goals will be measured through surveys conducted of the Academic Triangle ©, as well as other stakeholders involved with the students. The following chart takes into account both the academic and lifelong learning goals Pacific Valley Charter Academy has for all students and provides a summary of key student outcome goals.

KEY SUMMATIVE STUDENT OUTCOMES GOALS

Summative Student Outcomes	Assessments and Goals for Students
K-12 students acquiring knowledge and skills specified in the California Standard Test	80% of all students scoring 360 or below with Pacific Valley Charter Academy for longer than two years will increase their CST scores each year
Acquiring knowledge and skills necessary to pass the high school exit exam	90% of all students with Pacific Valley Charter Academy for longer than three years will pass the high school exit exam.
Eligible for admission to the University of California, California State University, and other universities and colleges	80% of students with Pacific Valley Charter Academy longer than three years who graduate from Pacific Valley Charter Academy will complete the requirements for admission to California State University, including course work, GPA, and SAT/ACT scores.
Successfully acclimate to either community college, trade school, military, or four year college	80% of ALL students with Pacific Valley Charter Academy longer than three years upon graduation will successfully complete their first year of schooling after high school, be enrolled in trade school, working, or serve in the military
Attendance rate	Student attendance rates will meet or exceed the average attendance for Vacaville Unified School District

Summative Student Outcomes	Assessments and Goals for Students
Dropout rate	Student dropout rates will remain less than Solano County.
Attendance of graduates at four-year colleges and universities and / or career certificates earned in High School and/or have immediate employment	60% of all students graduating will either be accepted to a four-year college, complete a certificate of completion in a career program or have employment

Table 7. Key summative student outcome goals

Summative School-wide Outcome Goals

Pacific Valley Charter Academy also will pursue overall goals. The goals will guide the evaluation of the success of Pacific Valley Charter Academy and about the administration and faculty, as well as the Board. The chart below summarizes these school level goals.

Pacific Valley Charter Academy Outcomes	Assessments and Goals
Meet or exceed Academic Performance Index (API) growth targets	Meet or surpass API growth, goal in alignment with the expectations outlined by CDE
High API State and Similar Schools Rank	Reach and maintain a state rank or a similar schools rank of 5 or higher

Pacific Valley Charter Academy Outcomes	Assessments and Goals
High Four-year College Going Rate	Equal or higher four-year college going rates compared to the average of Solano County high schools serving similar demographics of students continually enrolled at Pacific Valley Charter Academy for three years up to graduation.
High UC / CSU and private university and college eligibility	Equal or higher UC a-g course completion rates compared to the average of other Solano County comprehensive high schools. Equal or higher SAT/ACT scores than the average scores at other Solano County comprehensive high schools serving similar demographics. In both cases, students who are continuously with the school three consecutive years will exceed the goals listed.
High Student and Parent satisfaction Rates with the quality of education	Student and parent satisfaction with the quality of education as measured by student, parent, and alumni surveys compared to the average satisfaction rates available for other Solano County comprehensive high schools, or other sources.
K-12 students acquiring knowledge and skills specified in the California Standard Test	80% of all students scoring below 360 with Pacific Valley Charter Academy for longer than two years will increase their CST scores each year.

Table 8. Key summative school wide goals

Methods to Assess Student Progress towards Meeting Outcomes

Formative and Summative Assessments

“The method by which pupil progress in meeting those pupil outcomes is to be measured.”

-California Education Code 47605(b)(5)(C)

The academic progress of students will be tracked through a range of formal and informal assessments. The formal assessments will include STAR tests (CST), the CAHSEE, and students' SAT and ACT test results. Students will receive progress reports regularly through tools that complement the master agreement and semester final grade reports.

Formative Assessments

Teachers will use a variety of assessment techniques to monitor student learning informally, including benchmark assessments, oral assessment, quizzes, tests, essays, journals, multimedia presentations, group projects, debates, portfolios, lab books, and performances. Rubrics will be used to inform students of the class objectives and expectations. The grading policy at Pacific Valley Charter Academy includes a minimum of 50% of the grade based on assessments. Students will be assessed in language arts, mathematics, and the sciences regularly by standard, concept, using the California state standards, and when appropriate the Common Core Standards, and testing systems such as SchoolNet (Pearson) to collect and analyze the data. The standards based assessments are instrumental in developing the areas that students require for re-teaching.

Summary of Key Measurement Methods

Measurement Outcome	Method of Measurement	When
State Content Standards	STAR tests, including California Standards Tests, Smarter Balance (upon implementation)	Annually
Content Mastery	School aligned California standards-based assessments with Edusoft, NWEA, Compass Learning, or other state adopted materials	Ongoing throughout the year
UC/CSU Eligibility	Course enrollments in A-G courses, course grades, SAT/ACT test results, and GPA	Enrollments and grades each semester. PSAT and ACT preparatory materials 8th grade through 12th grade
College Level Coursework	Final Grades earned by students	End of Course

Table 9.Key measurement methods

Academic Performance Index

Pacific Valley Charter Academy will meet all statewide standards and conduct all required state mandated student assessments as required by the charter school legislation, Education Code 47605(c)(1). In order to be eligible for renewal, Pacific Valley Charter Academy will meet the requirements of 47607(b) of the Education Code.

Progress will be objectively measured by a range of methods including the annual statewide assessments for each grade and by other adopted statewide assessments (Table 7). Classroom teachers will also measure progress in the traditional manner, such as through quizzes, essays, projects, performances, portfolios, exhibitions, tests, and exams. Progress will be discussed on a regular basis with parents and students.

Use and Reporting of Data

The results of assessments are used in four different ways. First, to provide individual students and their families a clear idea of how well the student is mastering the academic materials and the requirements of each course. Students needing extra assistance and/or time will have several resources available to them. Teachers meet regularly with their students one on one. Pacific Valley Charter Academy will offer support to students in individual needs as determined through assessments. Students will be put into the next course level automatically that is a-g approved unless an SST or intervention suggests a different path. The Solano community and the anticipated parent base may include parents who speak more than one language. Specific efforts will be made by Pacific Valley Charter Academy to match ELL students with tutors fluent in the student's primary language.

The second way assessments will be used is to inform Pacific Valley Charter Academy regarding the mastery of content by students, the effectiveness of instruction and when additional and/or different instruction is needed. This use of assessment data will occur on multiple levels. The first level is to assist Pacific Valley Charter Academy to identify the progress of individual students, providing the opportunity to identify individual students who are making appropriate progress, those who are not, and those who are excelling. Using this information, teachers and the counseling staff can provide specific assistance to each student as needed. This includes counseling students on accelerated/enriched learning opportunities.

Thirdly, the use of the assessment data is used to identify situations during the school year where groups of students are not meeting expectations in a specific class, course, or subject area. Teachers and/or departments will use assessment data to identify these situations and determine what steps are needed to provide additional instruction or re-teach to address the shortcomings. The fourth level for the use of assessment data is to

evaluate and continually improve the educational program through a review of the curriculum, instructional, and evaluation practices. For example, assessment results that show a broad lack of mastery in a specific topic or skill will trigger an evaluation by teachers, a department or the entire school of what is taught, what resources are available to teach it, how it is being taught, and the most appropriate manner to re-teach that specific content area. At all times, the staff as a Professional Learning Community, will reflect and modify as needed to maximize student achievement. Vacaville Learning Center already formed Professional Learning Communities and actively modifies instructional practices to provide the very best instruction to each student.

Finally, as summarized in the Key Summative Outcome Goals (table 8), assessments will provide an overview of the success of Pacific Valley Charter Academy academic program as a whole. As a college preparatory school as well as school to career options, the information will include GPA, the percentage of students receiving acceptance to their college of choice, which colleges students are attending, and the average SAT, SAT 2, and ACT scores of graduates. It will include information from surveys of Pacific Valley Charter Academy graduates. In-depth reviews of all aspects of the academic program including academic achievement on standardized tests such as STAR-CST and CAHSEE, consistent with Pacific Valley Charter Academy API Growth Plan, will occur quarterly by the Board of Directors and Chief Executive Officer,, and applicable elements at every staff meeting with teachers and Site Leadership.

Active Monitoring to Drive Instruction

Pacific Valley Charter Academy will use a variety of tools to monitor standards-based instruction effectiveness and steer re-teaching for students throughout the year. A combination of online tools and embedded assessments will simplify delivery, aggregation, and disaggregating of data, providing teachers and administrators with timely information that allows them to make better decisions and design more individualized learning and instructional programs. Pacific Valley Charter Academy will have the capacity to:

- Report the results of statewide pupil assessment programs in aggregate and disaggregate forms for analysis by administrators and teachers to plan for improved pupil achievement
- Quickly identify achievement gaps

- Link results of assessments to instructional strategies that are aligned to state adopted content standards and the curriculum frameworks
- Provide information that can be tailored to individual pupils, classroom, school, and /or state level data
- Establish effective teacher planning with consolidation of data
- Align instruction to address academic deficiencies and strengths identified by both standardized and criterion referenced academic assessments
 - Heritage Peak Charter School currently performs these tasks and will continue as the Vacaville Learning Center becomes Pacific Valley Charter Academy

SECTION V

GOVERNANCE STRUCTURE

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

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

Non-Profit Public Benefit Corporation

Pacific Valley Charter Academy will be operated by Pacific Charter Institute, which has constituted itself as a California non-profit public benefit corporation pursuant to California law and has had its 501(c)(3) status recognized by the Internal Revenue Service. The Charter School will be governed pursuant to its adopted Bylaws (Appendix 2), as subsequently amended from time to time, which will be consistent with this Charter.

Pacific Valley Charter Academy will operate autonomously from the chartering agency, with the exception of the supervisory oversight as required by statute and other contracted services as negotiated between the chartering agency and PCI. Pursuant to California Education Code 47604(c), the chartering agency will not be liable for the debts and obligations of Pacific Valley Charter Academy, or for claims arising from the performance of acts, errors or omissions by Pacific Valley Charter Academy as long as the chartering agency has complied with all oversight responsibilities required by law.

Experienced educators formed Pacific Charter Institute (PCI), a non-profit 501(c)(3) public benefit corporation, incorporated in 2005. PCI currently operates two high-quality K-12 Independent Study programs. The first is sponsored by Twin Rivers Joint Unified School District called Heritage Peak Charter School (HPCS). The second school is sponsored by Lodi Unified School District called Rio Valley Charter School (RVCS). Pacific Charter Institute serves approximately 1,400 students in Sacramento, Solano, Placer, Yolo, San Joaquin, Calaveras, Contra Costa and Amador counties. HPCS has continuously operated since the 2005-2006 school year and RVCS has continuously operated since 2010-2011 school year. Pacific Charter Institute proposes creating an independent study charter school program designed around the specific needs in Vacaville Unified School District (VUSD) and Solano County for the schooling at home families

who currently do not attend traditional public schools for a variety of reasons. HPCS maintains a strong reputation at the local and state level as a model for returning drop-outs to the classroom and moving students who were previously written off toward a college career.

PCI Board of Directors

The PCI Board of Directors (“Board”) will operate Pacific Valley Charter Academy. Pacific Valley Charter Academy will be operated by the Board pursuant to the adopted Bylaws, as subsequently amended from time to time (the “Bylaws”), which shall be consistent with this Charter. See Appendix 1 for PCI Articles of Incorporation and Appendix 2 for the Bylaws.

Conflict of Interest Code

The Board adopted a Conflict of Interest policy (Appendix 9) which shall apply to all governing board members, candidates for member of the governing board, and all other designated employees of PCI and any and all of the California public charter schools it operates, as specifically required by California Government Code Section 87300.

Managerial Expertise/Executive Team

Pacific Valley Charter Academy will benefit from the mature educational, administrative, and fiscal systems and procedures and experienced staff already supporting PCI. The management team for PCI, that currently leads Heritage Peak Charter School and Rio Valley Charter School, has developed the infrastructure with the ability to manage multiple schools under the PCI umbrella. The individuals listed below will have the capacity to manage multiple schools due to tactical strategies.

First, the Pacific Valley Charter Academy in Vacaville will be splitting off specific students that currently attend HPCS at the Vacaville Learning Center, so the total student population will not change between the two schools upon opening (from year one). Secondly, the infrastructure established by the management team allows for economy of scale growth to ensure systems remain sound with all new schools by using the scalable programs including PowerSchool for a student information system and AptaFund for ac-

counts payable, accounts receivable, payroll, statewide reporting, and compliance reports as required.

Under the leadership of PCI's experienced Chief Executive Officer, Pacific Valley Charter Academy will operate under the Pacific Charter Institute management team. The Pacific Charter Management team includes the Chief Executive Officer Dr. Paul Keefer, Chief Operations Officer Sonja Cameron, and Business Manager Larry Pastore.

Chief Executive Officer Dr. Keefer is a regionally recognized expert on charter schools focusing on students that do not fit into the traditional system. Dr. Keefer has over 19 years of private and public sector management experience including seven years at United Parcel Service and eleven years leading charter schools. Dr. Keefer earned his Doctorate in Educational Leadership from the University of Phoenix in 2007. Dr. Keefer has served as Chief Executive Officer of Pacific Charter Institute, Heritage Peak Charter School, and subsequently Rio Valley Charter School since 2005.

Chief Operations Officer Sonja Cameron served in public education as an English as a Second Language instructor for over 18 years, and has served as an outreach coordinator, Board President, and then Chief Operations Officer for twelve years. Cameron attended the University of Copenhagen and majored in Language. Cameron speaks five languages fluently. Cameron currently serves as Chief Operations Officer for Pacific Charter Institute and Heritage Peak Charter School.

Business Manager Larry Pastore has over 25 years of experience in all aspects of school finances including accounts payable, accounts receivable, payroll, benefits, STRS, PERS, and financial reporting. Pastore serves as the business manager for Pacific Charter Institute (Heritage Peak Charter School and Rio Valley Charter School) and is recognized as an expert in the dynamics of public school finances. Prior to coming to Pacific Charter Institute, Mr. Pastore was Assistant Superintendent of Twin Ridges Unified School District and Director for Nevada County Office of Education.

Janet Potter will lead Pacific Valley Charter Academy, who is a community member in the Vacaville and current Site Leader for the Vacaville Learning Center. See Appendix 3 for the job descriptions for each of these positions. A dedicated group of educational, administrative, and clerical staff members support the Executive Team. Additional management and faculty with appropriate K-12 experience will be hired as part of the Pacific

Valley Charter Academy start up process. Pacific Charter Institute's strong academic record and support, high quality operations and administrative, fiscal stability, strong fiscal reserves, and the strength of the Pacific Valley Charter Academy model ensures that Pacific Charter Institute's ability to attract additional highly qualified staff.

Academic Team

Janet Potter and staff successfully developed programs that best reflect the student population and the expertise of the teachers. In addition, most of the staff of the Vacaville Learning Center lives in Vacaville and the direct surrounding area. Their integral and essential knowledge of the community makes them a valuable asset for the community.

During the last seven years, the Vacaville Learning Center developed multiple programs to cement and augment educational opportunities including:

- Project Lead the Way and Gateway to Technology courses
- K-3, 4-6, and 7-8 enrichment classes for students in the core subject areas
- Field Trips
- A-G classes including math from pre-algebra to pre-calculus, biology, chemistry, and physics
- Concurrent enrollment at Solano Community College
- Support for Travis Air Force Base families
- Stock Market Game, reading competitions, fundraisers
- NWEA assessment
- Writing, drama, speech and debate

Scott Stack (Mathematics) will work with staff developing comprehensive math programs to address students at all ability levels. Mr. Stack successfully organizes classes that meet the individual needs of the students as well as the Vacaville Learning Center.

Jennie Ellis (Language Arts) will work with staff correlating the California standards and the state adopted curriculum in language arts to better instruct traditional students, English language learners, and students with special needs. By focusing on the individual student needs, Ms. Ellis will be able to zero in and diagnose students struggling with reading, writing, and comprehension gaps and align academic solutions for them.

Jaime Law (Special Education) will monitor and administer all special education programs for the students at Pacific Valley Charter Academy. Ms. Law will also manage the part time / full time special education staff at the Pacific Valley Charter Academy site to ensure that the students are moving forward with their benchmark goals. In addition, she will ensure compliance with required tests and meetings required per IDEA. Finally, Ms. Law will conduct staff development to ensure that the teachers are using the best practices with each student per the benchmarks that are in place.

Sylvia Enriquez (Foreign Language and EL) will manage the foreign language and ELL component for Pacific Valley Charter Academy. Her second language skills and adept coaching style will be used to coordinate and plan ELL programs with families as well as developing the tools necessary for the students to take the a-g approved foreign language.

Ruby Diaz and Stefano Mannara (Science) will manage the physical and life sciences for Pacific Valley Charter Academy, respectively. They will coordinate all site lab work as well as monitor the standards based instruction to ensure the rigor meets the expectations of the a-g courses.

Dan McLaughlin (College and Career Counselor) will manage students and staff in developing career and college goals for Pacific Valley Charter Academy. Dan will coach staff in developing partnerships for students with organizations during the high school years as well as develop collegiate contacts for the school..

Board of Directors

The current Pacific Charter Institute Board consists of five voting members. Each board member brings significant experience and strong commitment to the organization. The board member terms are three years with the possibility of reelection. The bylaws allow for up to seven voting board members (Appendix 2). In addition to the Board members

listed below, VUSD shall have the right to appoint a representative to the Board. If the District exercises this right, the total Board membership shall expand accordingly.

The five voting members of the Board are:

- Dr. Rex Fortune, **President**, (Founder of Project Pipeline)
- Jean-Paul Prentice, **Member**, (Project Manager, Cost Accounting Construction)
- Judy Miller, **Member**, (CASBO, Retiree Representative)
- Wei Hsieh, **Member**, (Branch Chief, California Conservation Corps)
- Gary Borden, **Member**, (Senior Vice President, California Charter Schools Association)
- Kevin Smith-Fagan, **Member**, (Vice President for Development, KVIE Public Television)

As outlined in the Bylaws, members of the Board serve three-year renewable terms.

The Board will oversee the Chief Executive Officer for the operation and fiscal affairs of Pacific Valley Charter Academy. The Chief Executive Officer will be fully responsible for the following, but not limited to:

- Hiring of all personnel of Pacific Valley Charter Academy in collaboration with the staff of Pacific Valley Charter Academy
- Financial and operational management of Pacific Valley Charter Academy
- Adoption of the Pacific Valley Charter Academy annual financial budget
- Oversee receipt of operating funds by the school in accordance with the terms and procedures of the Charter Schools Act
- Oversee solicitation and receipt of grants and donations to Pacific Valley Charter Academy
- Personnel policies and procedures and employee disciplinary matters
- Approval of contracts with outside entities or persons

- Financial audit oversight
- Relations with the chartering entity
- All matters related to charter approval, amendment, or revocation

The Board may initiate and carry on any program or activity, or otherwise act in any manner, which is neither in conflict with, nor inconsistent with, nor preempted by, any law and which is not in conflict with the purposes for which charter schools are established.

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

The Board will address program concerns regarding the operation and improvement of Pacific Valley Charter Academy. The Board is the final policy-making authority for Pacific Valley Charter Academy. The Board will recommend programs, policies, and schedules designed to meet the evolving educational needs of Pacific Valley Charter Academy students, parents, and teachers.

All Board meetings will be held in accordance with the Brown Act and will be open to the public and each agenda will include time for community input with regards to Pacific Valley Charter Academy. However, the Board reserves the right to meet in closed session and discuss items for which closed sessions are permitted under the Brown Act. Decisions made in closed session will be reported in open session at the conclusion of closed session. The Board meetings will be held in compliance with the Bylaws.

In order to maximize public participation in meetings of PCI relating to the charter school, the PCI Board has agreed to implement the following:

- The PCI Board will hold its meetings within one of the three counties where it will have charter schools authorized or in one of the contiguous counties where one or more of the charter schools is authorized to serve pupils or maintain facilities.
- The PCI Board will rotate its meetings such that it will meet in Vacaville a minimum of once per year.

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- During any meeting in which PCI is not physically present in Vacaville, it will provide for teleconference participation by students, parents, employees and community members from the Vacaville school site. This will ensure that it receives input from Vacaville residents.

The Board for PCI is appointed by majority vote of its members. In addition, each officer position, including President, Vice President, Treasurer, and Secretary, are nominated and voted on by the Board members. Minutes are taken to record the protocols and business items discussed during the meeting. The Board meets up to six times or more a year and focus on the academic, fiduciary, and policy items to ensure a smooth operation as well as compliance with all laws and statutes.

Parental Involvement in Governance

Parent involvement is critical within the Academic Triangle ©. The parent, along with the student and the teacher, will maintain direct influence over the direction of the educational process. For instance, parents have equal say, and sometimes greater say, in the development of the learning of the student based on the academic needs. The parents dictate with the student electives that the children will complete across a variety of genres including the arts, physical education, core subject areas, and immediate and future pursuits, which are reflected on the Master Agreement and align with the California academic standards.

Teachers acting as conduits of information collaborate with other teachers and parents to determine what programs should be subsidized by the general fund of the school to maximize offerings. Examples of parent influence on governance and the fiduciary direction of the school include field trips, on site classes, collegiate tutors and frequency of meetings with the teacher.

In addition, the Academic Triangle © dedicates at least \$1,000 depending on the state of California allocation that is dedicated to the student seeking out opportunities found in traditional schools but not available in an independent study environment. Students will have the opportunity to use the funds towards standards-based activities including the performing and visual arts, physical fitness, the sciences including science camps and music lessons in a variety of instruments. Unlike the traditional educational system, Pa-

cific Valley Charter Academy will offer students specific, interest driven programs based on the individual student rather than a class of students.

Chief Executive Officer

The Chief Executive Officer is the Chief Executive Officer of all schools under Pacific Charter Institute. The Chief Executive Officer reports to the Board, and is responsible for providing overall leadership and direction to the organization in the fulfillment of the Board policies and priorities. The Chief Executive Officer promotes the vision of the Board and is the Board's chief advisor, overseeing the strategic and operational plans of the corporation's schools.

The Chief Executive Officer has overall day-to-day management responsibilities of the corporation and its schools, determined by the Board as outlined in the Bylaws, job description, and the job specific employment contract. The Chief Executive Officer will ensure the corporation operates in fulfillment of the mission as spelled out in the charter (s) and in compliance with state and federal laws applicable to charter schools and the PCI Bylaws. The Chief Executive Officer will work with the board and its committees to ensure the corporation makes sound strategic decisions, based on the effective use of student, programmatic and fiscal data. The Chief Executive Officer will ensure that the schools maintain a focus on student achievement. The Chief Executive Officer (or designee) will serve as a spokesperson for Pacific Valley Charter Academy to further the school (s) prominence within the local, state, and national education and charter school communities.

Specifically, the responsibilities of the Chief Executive Officer, or his designee, will include, but are not limited to, the following:

- Oversee the strategic and operational plans of PCI, including those of Pacific Valley Charter Academy
- Oversee the day to day management PCI, including the operations of Pacific Valley Charter Academy
- Develop Board meeting agenda in conjunction with the Board President in compliance with the Brown Act
- Supervise and evaluate the, Chief Operations Officer, Site Leaders, and site Directors

- Propose policies for adoption by the Board
- Provide comments and recommendations regarding policies presented by others to the Board
- Communicate with legal counsel and any outside consultants
- Stay abreast of education laws and regulations
- Oversee all purchasing, pay warrants, requisitions, and other expenditures
- Participate in the dispute resolution procedure and the complaint procedure when necessary
- Establish and execute enrollment procedures
- Oversee all necessary financial reports as required for proper ADA reporting
- Develop and administer the budget in accordance with generally accepted accounting principles
- Present the adopted annual budget, P1, P2, and P3 to the Board
- Supervise student disciplinary matters when necessary
- Attend all Board meetings and attend VUSD Board of Trustees meetings, as necessary or assign designee for said duty
- Establish procedures designed to carry out Board policies
- Oversee all responsibilities, obligations, and duties not assigned to the Board

The Board and the Chief Executive Officer will work together to set annual goals. The Board approves these annual goals for the Chief Executive Officer. The Board evaluates the Chief Executive Officer's performance at least annually.

Chief Operations Officer

- Monitor and advise the CEO on fiscal opportunities and threats in collaboration with the Business Manager
- Coordinate and implement payroll for Pacific Charter Institute
- Maintain operations in accordance with independent study regulations for compliance and coordinate with the independent auditor
- Analyze and balance operational and academic changes, projects, and programs of the school with the organizational budget

- Manage health and welfare oversight with appropriate internal staff to ensure costs are contained while also offering support to employees
- Review, audit, and analyze all financial reports under Pacific Charter Institute and prepare recommendations for the CAO and the CEO for current and future fiscal years and be prepared to discuss and defend with the Pacific Charter Institute Board of Directors
- Develop streamline, consistent budget planning for individual site learning centers and the corporate office in alignment with the overall Pacific Charter Institute budget
- Sets priorities and measurable goals and effectively manages district resources to support priorities and goal achievement.
- Leads cross functional teams within corporate headquarters to implement operational policies and business processes that enable schools to maintain environments that support and maximize student achievement.
- Prepare and manage Financial communication to internal and external measurements including past performance, calendar of specific goals and outcomes, and continued transparency of both internal and external Financial metrics as approved by the Board of Directors
- Other duties as assigned by the CEO / Executive Director

Business Manager

The Business Manager is the chief financial officer reports to the Chief Operations Officer. The Business Manager reports to the Chief Operations Officer, and is responsible for providing management of budgeting and financial operations. The primary objective of the Business Manager is to work with Administration to ensure that PCI is operating in a fiscally and administratively responsible manner that is consistent with the corporation's mission. The essential duties and responsibilities of this position include, but are not limited to: the maintenance of the appropriate fiscal controls, payroll, budget and budget oversight, financial, tax preparation, accounts payable, and business operations. Under the direction and supervision of the Chief Operations Officer, the Business Manager will:

- Prepare and present to management and the Charter Council the following financial Reports:

- Adopted Budget
- First Interim Report
- Second Interim Report
- Third Interim Report
- Unaudited Actuals
- Coordinate annual audit.
- Process payroll monthly. Prepare and submit direct deposit, STRS and PERS reports, and other necessary statutory reports / payments.
- Process accounts payable weekly.
- Reconcile all balance sheet accounts monthly.
- Review and submit attendance data including P-1, P-2 and P-Annual.
- Present financial progress reports to management monthly.
- Manage banking procedures including sweeps and cash flow
- Prepare and submit SB740 required funding determinations
- Assist in Student budget calculations
- Manage school-wide 401(k) program
- Interface with the independent auditor
- Will work as directed on additional duties as directed by the Director or the director designee

Pacific Valley Charter Academy Director

Janet Potter, a resident of Vacaville, will be the Director of Pacific Valley Charter Academy. Ms. Potter has successfully led the Vacaville Learning Center the last three years growing the programs from approximately 150 students to almost 300 students from Yolo and Solano Counties. Ms. Potter has over 20 years of traditional classroom experience as well as over 12 years of homeschool experience both as a teacher and a parent. Dr. Keefer will assist Ms. Potter including mentoring and leadership development opportunities. The Director supervises the campus teachers and non-instructional staff and reports to the Chief Executive Officer. The Director acts as the instructional leader at the school and is responsible for helping students achieve outcomes as outlined in the Educational Program. The director is responsible for executing Board policies, the conduct of educational activities, and the recruitment, training, and evaluation of teaching and support staff under the supervision and direction of the Chief Executive Officer.

The responsibilities of the Director, or designee, may include, but are not limited to, the following;

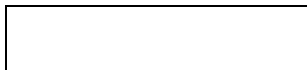
- Oversee the implementation of an educational program consistent with the Pacific Valley Charter Academy mission and vision
- Develop ELL, Gate, STEM, academic support, and accelerated programs unique to the Vacaville community to enhance the educational opportunities for the students
- Oversee development and implementation of curriculum in alignment with State of California Standards and Frameworks
- Monitors and evaluates student achievement and develops strategies with staff to ensure academic progress
- Lead the teacher and staff hiring process.
- Provide timely performance evaluations of all employees
- Participation in the dispute resolution procedures and complaint procedure when necessary
- Develop annual performance target goals
- Oversee the recommendation and implementation of Individualized Education Plan (IEP) and attend said IEP meetings upon the request of any involved party
- Handle student disciplinary matters in accordance with policies and procedures
- Plan and coordinate student orientation
- Facilitate open house events
- Oversee all parent/student/teacher relations
- Remain current on education laws and legislation
- Implement site safety procedures in compliance with all applicable laws

- Create and appoint committees to assist in the execution of certain planning and administrative functions.
- Establish and execute enrollment procedures
- Supervise all employees and volunteers
- Communicate at least weekly with Chief Executive Officer

HPCS Staff Becoming the Founding Staff at PCI Charter

The founding staff of Pacific Valley Charter Academy will ensure a smooth transition from concept to implementation. The staff currently working for HPCS will transition into the new Pacific Valley Charter Academy. Due to the varying types of students that they have been servicing for over three years, they maintain a positive relationship with the district and county contacts that they have already made. The PCI staff in Vacaville has developed positive relationships with various stakeholders in Solano County to support the students. More about the Vacaville Learning Center can be found at:

http://www.pacificcharters.org/apps/pages/index.jsp?uREC_ID=165767&type=d&pREC_ID=340699



Mrs. Debora Aston	Teacher
Ms. Ruby Diaz	Teacher
Ms. Sylvia Enriquez	Teacher
Ms. Joanne Erickson	Teacher
Ms. Janine Geist	Teacher
Ms. Althea Hines	Teacher
Ms. Carol Korsmo	Teacher
Ms. Jennifer Kostal	Teacher
Ms. Jaime Law	Teacher

Stefano Mannara	Teacher
Ms. Heather Mariano	Teacher
Ms. Elvira Paoletti	Teacher
Ms. Janet Potter	Site Leader
Ms. Angela Roe	Teacher
Ms. Jennifer Rogers	Teacher
Ms. Mary Jo Seminoff	Office Assistant
Ms. Cheryl Siu	Teacher
Mr. Scott Stack	Teacher
Vanessa Stone	Office Assistant
Cari Tennyson	Teacher

Parental Input Regarding the Educational Program

As required by Education Code 47605, Pacific Valley Charter Academy will use a range of methods to consult with and receive parental input. These methods are currently in use for parents attending existing at Heritage Peak Charter School and include parent, student, and teacher Academic Triangle © collaboration, email and phone communication, parent and student surveys, parent participation in school activities, and parent contributions to school protocols development.

The Academic Triangle © is a powerful and unique feature to PCI in which the three major stakeholders; the teacher, the student, and the parent work together to develop solid academic plans for the student based on various criteria. The criteria include the student's past academic performance, personal direction in education, home life, personal life, affiliations and relationships, and current status. Based on these criteria, the Academic Triangle © is best able to determine the intensity of the educational experience and the right combination of opportunities.

All staff will have cellular phones and email access with the expectation that they return all calls and emails within 24 hours to their students. This availability of each teacher re-

enforces the one-on-one connection with the teacher that the Academic Triangle © is modeled after.

Parents and students are surveyed at least annually to determine their satisfaction with Pacific Valley Charter Academy. This reflective survey will help the school make program modifications to better serve the students. The faculty, administration, and the board will review the results of the surveys to determine how Pacific Valley Charter Academy compares to other schools in the region.

Parents will participate through their daily activities with their children, which will also include opportunities with clubs and events at the school site.

Parent and Community Advisory Committee

Pacific Valley Charter Academy will have a Parent and Community Advisory Committee made up of parents and community stakeholders from the Vacaville community. The Parent and Community Advisory Committee will work with the director of the school to develop organizational strategies for the school and advise the principal on issues and plans surrounding the school. The Parent and Community Advisory Committee will meet regularly and will consist of no more than ten parents, ten community members, and the director combined. The committee will report back to the school and the board of directors through meeting minutes and if needed, a section in the newsletter for the school. This body will work through consensus and decisions may be implemented within the parameters of the charter document, California Education Code, and the school handbook for both parents and students. This body is crucial to the steering of Pacific Valley Charter Academy.

Staff Advisory Team

Pacific Valley Charter Academy will use the Staff Advisory Team (staff and director) as an essential tool to review policies and procedures, introduce new curriculums and protocols, and develop future projects. The importance of the Staff Advisory Team will be the ability for each employee to participate by his or her interest in a topic allowing for greater say by every stakeholder.

Unlike traditional committees that rely on only a few people, and sometimes, the same people year after year, the Staff Advisory Team is not membership driven, but rather, idea driven. The director, staff, and faculty all have an equal say in the discussions in this forum and implementation of ideas in line with PCI academic and fiduciary goals will occur. This body meets regularly. This body advises the Chief Executive Officer, who is then able to develop and implement strategic and tactical decisions with the board.

SECTION VI

EMPLOYEE QUALIFICATIONS

“The qualifications to be met by individuals to be employed by the school”

-California Education Code 47605(b)(5)(E)

Hiring Process and Employee Qualifications

PCI will recruit professional, effective and qualified personnel for all administrative, instructional, instructional support, and non-instructional support capacities that believe in the instructional philosophy outlined in our educational philosophy. In accordance with Education Code 47605(d)(1), PCI will be nonsectarian in its employment practices and all other operations. PCI will not discriminate against any individual (employee or pupil) on the basis of ethnicity, national origin, sexual orientation, gender, gender expression, gender identity, disability, or upon any of the characteristics as listed in Education Code Section 220. All employees of the Charter School will be employees of PCI and will be at-will employees working under an employment contract with a yearly salary determination. The VUSD shall not require any employee to work at the Pacific Valley Charter Academy.

Chief Executive Officer

- Required credentials and degrees including California Teaching and Administrative credentials, Masters in Business Administration, and demonstration of academic pursuits beyond the Masters level
- Must clear all state mandated background checks required by the county and the state
- Must have a proven track-record in writing grants through a variety of agencies and organizations.
- Must have experience reading grants regarding charter schools on the state level in California.
- Must have developed relationships with district and state educational personnel in the charter community.

- A proven track record in academic success across a variety of student populations
- Must have a proven track record to lead in a collaborative manner
- Reside as a governing board member of a statewide charter school organization
- Must have leadership knowledge of independent study laws, SB 740, and all laws pertaining to charter schools
- Proven record of starting charter schools in a collaborative manner in multiple districts

Chief Operations Officer

- Monitor and advise the CEO on fiscal opportunities and threats in collaboration with the Business Manager
- Coordinate and implement payroll for Pacific Charter Institute
- Maintain operations in accordance with independent study regulations for compliance and coordinate with the independent auditor
- Analyze and balance operational and academic changes, projects, and programs of the school with the organizational budget
- Manage health and welfare oversight with appropriate internal staff to ensure costs are contained while also offering support to employees
- Review, audit, and analyze all financial reports under Pacific Charter Institute and prepare recommendations for the CAO and the CEO for current and future fiscal years and be prepared to discuss and defend with the Pacific Charter Institute Board of Directors
- Develop streamlined, consistent budget planning for individual site learning centers and the corporate office in alignment with the overall Pacific Charter Institute budget
- Sets priorities and measurable goals and effectively manages district resources to support priorities and goal achievement.
- Leads cross functional teams within corporate headquarters to implement operational policies and business processes that enable schools to maintain environments that support and maximize student achievement.
- Prepare and manage Financial communication to internal and external measurements including past performance, calendar of specific goals and outcomes,

and continued transparency of both internal and external Financial metrics as approved by the Board of Directors

Business Manager

- Must be able to work in a dynamic, fast paced environment
- Must clear all state mandated background checks required by Heritage Peak Charter School and the state.
- Must have a proven track record working successfully with teachers, students, business entities, and parents.
- Must be a proven team player.
- Must have a proven track record in completing fiscal tasks and meeting all deadlines.
- Must be familiar with SACS Accounting, Payroll, Accounts Payable, Accounts Receivables, and Cash Flow.
- Must be able to meet all reporting expectations to the sponsoring school district, county office of education, and the state of California.
- Must be able to complete all transactions for STRS and PERS to meet all legal and fiscal responsibilities for these programs
- Should have a proven track record in learning new computer programs and systems
- Must be able to analyze and create procedures to optimize office operations.
- Must be flexible with system implementation

Pacific Valley Charter Academy Director

The director supervises the campus teachers and non-instructional staff. The director shall act as the instructional leader at the School and shall be responsible for helping the students achieve outcomes as outlined in the Educational Program. The Pacific Valley Charter Academy director will be responsible for executing Board policies, the conduct of educational activities, and the recruitment, training, and evaluation of teaching and support staff as further outlined in the job specification and employment contract.

Candidates for this position will possess:

- Experience working with students including ELL, GATE, and at risk

- Excellent communication and community-building skills
- Administrative experience
- Extensive knowledge of curriculum development
- A record of success in developing teachers
- Experience in performance assessment

Teachers

Pacific Valley Charter Academy shall comply with Education Code 47605(l), which states in pertinent part:

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

Core Teaching Faculty, as providers of the day-to-day teaching and guidance to the students, are the primary resources of the School. In a school culture that promotes academic rigor and success for all students, grade level core teachers are responsible for, but not limited to:

- Subject instruction
- Assigning of work and grading of said work
- Master Agreement completion and signing by the parent, student, and teacher
- Curriculum planning
- Collaboration with fellow faculty administrators
- Student assessment
- Communication with parents

Candidates for these positions will possess:

- A commitment to students and learning
- Knowledge of their subject matter
- A willingness to be innovative and dynamic in their instructional methods

These individuals must meet all of the following minimum requirements:

- Bachelor's Degree
- Valid California Teaching Credential or equivalent CTC-issued document
- If appropriate, or determined by Pacific Valley Charter Academy or the State of California as required, the individual will hold all appropriate supplemental credentials

Additionally, core teachers, as defined by the No Child Left Behind Act, shall meet the applicable definitions of the highly qualified requirements. Teachers of core, college-preparatory classes shall meet the applicable definitions of the 'highly qualified' requirements. Under NCLB, in order to teach a core class, teachers are designated as 'highly qualified' if they:

- 1) Hold a Bachelor's Degree; and
- 2) Hold a Commission on Teaching Credentialing certificate, permit or other document equivalent to that which a teacher in other public schools would be required to hold; and
- 3) Demonstrate sufficient subject matter competency in accordance with Title 5, California Code Regulations Sections 6111 and 6112 and other applicable law.

Paraprofessionals who are required to be 'highly qualified' under the federal No Child Left Behind Act, will meet NCLB requirements.

All employees will include the knowledge base and/or relevant experiences in the responsibilities and qualifications identified in the posted job description as determined by PCI.

All employees will be fingerprinted and will successfully pass all required background checks as required by state law.

In accordance with the applicable law, PCI reserves the right to recruit, interview, and hire anyone at any time that has the best qualifications to fill any of its positions and/or vacancies.

PCI will use a range of procedures and resources in the identification and hiring of the most qualified employees. Job descriptions will appropriately detail the work responsibilities and subject matter competence required by the employees. Recruitment will include the use of comprehensive job listings services such as EdJoin, CareerBuilder, and Education Week. Other sources such as university and college placement service may also be used. The hiring process for full time-staff is intense. It typically includes a rigorous paper screening process and multiple structured interviews. Participants in a hiring process may include administration, teachers, and staff. Teaching applicants typically are required to prepare and present a lesson. All this effort is part of PCI's commitment to find the best possible employees who are committed to supporting high levels of achievement by all students and to the mission and vision of PCI. The teachers at Vacaville Learning Center already qualify for the requirements listed above as outlined by name.

Professional Development: Retention and Development of Highly Qualified Faculty

Once employed, ongoing professional development will be an integral part of professional practice for all teachers and administrators at Pacific Valley Charter Academy. Ongoing professional development is essential to the continued development of faculty skills and expertise, and the retention of high quality faculty members. Pacific Valley Charter Academy professional development will focus on the ability for teachers to best administer the California content standards in a meaningful manner. Because Pacific Valley Charter Academy is an independent study school, the best practice collaboration between staff, statewide charter organizations, and county and state sponsored opportunities will maximize the training of teachers. All full and part time employees are evaluated at least annually. The faculty evaluation system focuses on student achievement and personal growth of the employee. Professional development currently employed by

the Vacaville Learning Center include Step Up to Writing, Area 3 Writing Project (UC Davis), Project Lead the Way (GTT), Holt Mathematics, and National Geographic Hampton Brown.

Employee Compensation and Benefits

PCI provides competitive salaries and benefits to its employees in comparison to the surrounding school districts and charter schools. PCI recognizes that it will need to provide employees who will work at Pacific Valley Charter Academy with competitive salaries and benefits. PCI also pays all applicable employment and retirement taxes and fees including social security, STRS, 401k (for those participating), and PERS.

Employees are informed of their benefits, their rights and policies and procedures through PCI Employee Handbook (the “handbook”). The Handbook includes information regarding recruitment, working conditions, salaries, benefits, and employment policies. Salaries, benefits, and working conditions are reviewed annually by administration and recommendations for change are made to the Board.

Payroll for all PCI employees is processed in house using the AptaFund program. Heritage Peak Charter School successfully used the program for five years. All full time teachers will be paid salary and offered annual employment contracts or salary determinations. Other employees are compensated in alignment with their job description. Vacaville Learning Center currently receives all of the compensation and benefit opportunities listed above.

Evaluation of Employees

Teachers

Faculty members are evaluated annually pursuant to an evaluation process that includes test score evaluations, observation, professional development, and professional growth plan using a system called the Annual Review of Teaching (ART). Faculty members are evaluated using a reflective process in which the teacher self evaluates and the supervisor (Site Leader / Director) evaluates the employee with a clearly defined rubric. Upon their individual responses, they collaborate both on how the evaluation was derived and reach agreement on performance goals across a variety of specific areas. Staff collabora-

ratively developed this system using Enhancing Professional Practice: A Framework For Teaching as a basis (ASCD, 2008). The specific areas of review includes:

- Demonstrating Knowledge of Students
- Designing Coherent Instruction
- Designing Student Assessments
- Creating an Environment of Respect and Rapport
- Managing Student Behavior
- Maintaining Accurate Records
- Communicating with Families
- Participating in a Professional Community
- Growing and Developing Professionally
- Showing Professionalism

These tools anchor the continual improvement that teachers are expected to achieve annually at Pacific Valley Charter Academy.

Pacific Valley Charter Academy Director

The staff of Pacific Valley Charter Academy will develop a site plan aligned with the Pacific Charter Institute Strategic Plan (above). The director will be evaluated based on the process and outcomes of the site plan implemented. The site plan will contain specific academic and organizational goals for the school.

Pacific Valley Charter Academy Staff

Staff will be evaluated using a proven tool that allows for the flexibility within the job positions to accurately assess how they are performing in the charter school environment.

SECTION VII

DESCRIPTION OF EMPLOYEE RIGHTS

Employee Representation

“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 47605(b)(5)(0)

PCI will be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (“EERA”). PCI will comply with the EERA.

Return Rights of the School District Employees

“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 returns to the school district after employment at a charter school.”

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

No public school employee shall be required to work at the Charter School. Employees of VUSD who choose to leave the employment of VUSD to work for Pacific Valley Charter Academy will have no automatic rights of return to VUSD after employment by PCI unless specifically granted by VUSD through a leave of absence or other agreement. Charter School employees shall have any right upon leaving VUSD to work in the Charter School that VUSD may specify, any rights of return to employment in a school district after employment in the Charter School that VUSD may specify, and any other rights upon leaving employment to work in the Charter School that VUSD determines to be reasonable and not in conflict with any law.

All employees of PCI will be considered the exclusive employees of PCI and not of VUSD, unless otherwise mutually agreed in writing. Sick or vacation leave or years of service credits at VUSD or any other school district will not be transferred to PCI. Em-

ployment by PCI provides no rights of employment at any other entity, including any rights in the case of closure of Pacific Valley Charter Academy.

Retirement Benefits

“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 47605(b)(5)(K)

All full-time employees at Pacific Valley Charter Academy will participate in a qualified retirement plan including but not limited to State Teachers Retirement System (“STRS”), Public Employees Retirement System (“PERS”), and/or the federal social security system based on their eligibility to participate. PCI teachers participate in STRS. Non-credentialed staff that qualify participate in PERS and social security. All staff after meeting the criteria may participate in the 401(k) program. Staff may have access to other school sponsored retirement plans according to policies developed by the Board and adopted as the school’s employee policies. The Business Manager will be responsible for ensuring that appropriate arrangements for retirement coverage have been made.

SECTION VIII

HEALTH AND SAFETY PROCEDURES

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

-California Education Code 47605(b)(5)(F)

Procedures for Background Checks

Employees and contractors of Pacific Valley Charter Academy will be required to submit to a criminal background check and finish a criminal record summary as required by Education Code 44237 and 45125.1. New employees must complete the LiveScan fingerprinting process to the California Department of Justice for the purpose of obtaining a criminal record summary. The Pacific Valley Charter Academy Director will monitor compliance with this policy. The Chief Executive Officer will monitor the fingerprinting and background clearance of the Director. Volunteers who will volunteer outside of the direct supervision of an employee will be fingerprinted and receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

Role of Staff as Mandated Child Abuse Reporters

All employees will be mandated child abuse reporters and will follow all applicable reporting laws.

TB Testing

Pacific Valley Charter Academy will follow the requirements of Education Code 49406 in requiring tuberculosis testing of all employees.

Immunizations

Pacific Valley Charter Academy will adhere to all law related to legally required immunizations for entering students pursuant to Health and Safety Code 120325-120375, and

Title 17, California Code of Regulations 6000-6075. All rising 7th grade students must be immunized with a pertussis (whooping cough) vaccine booster.

CPR/First Aid Training

Designated employees will be CPR/First Aid trained.

Medication in School

Pacific Valley Charter Academy will adhere to Education Code 49423 regarding administration of medication in school. Since Pacific Valley Charter Academy is an independent study program, the school will expect parents and guardians to manage medications for their children prior to or after attendance at a school function.

Vision/Hearing/Scoliosis

Pacific Valley Charter Academy will adhere to Education Code 49450, et seq. as applicable to the grade levels served by the school.

Diabetes

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

1. A description of type 2 diabetes.
2. A description of the risk factors and warning signs associated with type 2 diabetes.
3. A recommendation that students displaying or possibly suffering from risk factors or warning signs associated with type 2 diabetes should be screened for type 2 diabetes.
4. A description of treatments and prevention of methods of type 2 diabetes.
5. A description of the different types of diabetes screening tests available.

Oral Health Examinations

Pacific Valley Charter Academy will require its students to comply with all oral health examinations pursuant to Education Code 49452.8. Since Pacific Valley Charter Academy is an independent study program, the school will expect parents and guardians to manage oral health examinations for their children prior to or after attendance at the school site.

Emergency Preparedness

Pacific Valley Charter Academy will adhere to an Emergency Preparedness Plan drafted specifically to the needs of the school site. This plan will include, but not limited to, the following responses: fire, flood, earthquake, terrorist threats, and hostage situations. If the School is not situated on a public school site it will develop its own Emergency Preparedness Plan specific to the site.

Blood Borne Pathogens

Pacific Valley Charter Academy will meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the work place. PCI has established a written infectious control plan designed to protect employees and students from possible infection due to contact with blood borne viruses, including human immunodeficiency virus ("HIV") and hepatitis B virus ("HBV"). This plan includes the training of staff.

Whenever exposed to blood or other bodily fluids through injury or accident, staff and students will follow the latest medical protocol for disinfecting procedures.

Drug Free/Alcohol Free/Smoke Free Environment

Pacific Valley Charter Academy will maintain a drug, alcohol, and tobacco free workplace.

Integrated Complaint and Investigation Procedure

Pacific Valley Charter Academy will utilize PCI's existing complaint and investigation procedure to centralize all complaints and concerns coming into the school. Under the

direction of the Board, the Chief Executive Officer will be responsible for investigation, remediation, and follow-up on matters submitted through this procedure not managed by the director of Pacific Valley Charter Academy. All issues not resolved not resolved by the school site may be resolved at the executive level.

Comprehensive Sexual Harassment Policies and Procedures

Pacific Valley Charter Academy is committed to providing a school that is free from sexual harassment, as well as any harassment based upon such factors as race, religion, creed, color, national origin, ancestry, age, medical conditions, marital status, sexual orientation, or disability. Pacific Valley Charter Academy will use the adopted plan by PCI regarding sexual discrimination and harassment (including employee to employee, employee to student, student to employee, and student to student misconduct). Misconduct of this nature is very serious and will be addressed in accordance with the PCI harassment policy.

School Facility Safety

Pacific Valley Charter Academy will comply with Education Code 47610 by either utilizing facilities that are compliant with the Field Act or facilities or are compliant with the California Building Standards Code. Pacific Valley Charter Academy will adhere to laws specific to charter schools on the local and state level regarding facilities. Pacific Valley Charter Academy agrees to test, or if in a district owned or leased facility, to verify, that sprinkler systems, fire extinguishers, and fire alarms are tested annually at its facilities to ensure that they are maintained in an operable condition at all times. Pacific Valley Charter Academy will conduct fire drills monthly. If Pacific Valley Charter Academy is not operating under the School Safety Plan of the facility where it is housed, it will implement its own school safety and disaster preparedness plan that will be based on the provisions of Education code 32286(a).

SECTION IX

DISPUTE RESOLUTION

PROCESS, OVERSIGHT, REPORTING AND RENEWAL

“The procedure to be followed by the charter School and the entity granting the charter to resolve disputes relating to provisions of the charter.”

-California Education Code 47605(b)(5)(N)

Intent

The intent of this dispute resolution process is to (1) resolve disputes within the school pursuant to the school's policies, (2) minimize the oversight burden on VUSD, and (3) ensure a fair and timely resolution to disputes. Pacific Valley Charter Academy and the chartering agency will be encouraged to attempt to resolve any disputes with the chartering agency amicably and reasonably without resorting to formal procedures. In addition, cost sharing in any dispute will be encouraged to be both fair and equitable.

Public Comments

The staff of PCI, Board, and VUSD agrees to attempt to resolve all disputes regarding this Charter pursuant to the terms of this section. All parties will refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process.

Disputes Arising From Within the School

Disputes arising from within the School, including all disputes among and between students, staff, parents, volunteers, advisory, partner organizations and governing board members of the school, will be resolved pursuant to policies and processes developed by PCI.

VUSD will not intervene in any such internal disputes without the consent of the Board of PCI and will refer any complaints or reports regarding such disputes to the Board or the

Chief Executive Officer for resolution pursuant to PCI's policies. VUSD agrees not to intervene or become involved in an internal dispute unless the dispute has given VUSD reasonable cause to believe that a violation of this Charter or related laws or agreements or issues of student health or safety have occurred, or unless the Board has requested VUSD to intervene in the dispute.

Disputes Between Pacific Valley Charter Academy and VUSD

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

The Charter School and the District will be encouraged to attempt to resolve any disputes with the District amicably and reasonably without resorting to formal procedures. In the event of a dispute between the Charter School and the District, Charter School staff, employees and Board members of the Charter School and the District agree to first frame the issue in written format ("dispute statement") and to refer the issue to the District Superintendent (or designee) and Chief Executive Officer (or designee) of the Charter School. In the event that the District Board of Education believes that the dispute relates to an issue that could lead to revocation of the charter in accordance with Education Code Section 47607, the Charter School requests that this shall be noted in the written dispute statement, although it recognizes it cannot legally bind the District to do so. However, participation in the dispute resolution procedures outlined in this section shall not be interpreted to impede or act as a pre-requisite to the District's ability to proceed with revocation in accordance with Education Code Section 47607.

The designee for Pacific Valley Charter Academy and the designee for VUSD will informally meet and confer in a timely fashion to attempt to resolve the dispute, not later than 5 business days from receipt of the dispute statement. In the event that this informal meeting fails to resolve the dispute, both parties will identify two board members from their respective boards who will jointly meet with VUSD designee and the Chief Executive Officer or designee and attempt to resolve the dispute within 15 business days from receipt of the dispute statement. If this joint meeting fails to resolve the dispute, VUSD, designee and the Chief Executive Officer will meet to jointly identify a neutral third party mediator to engage the parties in a non-binding mediation session designed to facilitate resolution of the dispute. VUSD designee and the Chief Executive Officer or designee will develop the format of the mediation session jointly. Mediation will be held within 60

business days of receipt of the dispute statement. The costs of the mediator will be split equally between VUSD and Pacific Valley Charter Academy. If mediation does not resolve the dispute, either party may pursue any other remedy available under the law. All timelines in this section may be revised upon mutual written agreement of VUSD and Pacific Valley Charter Academy.

This dispute resolution procedure shall not apply to any request for equitable or injunctive relief prior to the mediation to preserve the status quo pending the completion of that process. Except for such an action to obtain equitable or injunctive relief, neither party may commence a civil action with respect to the matters submitted to dispute resolution until that process is complete.

SECTION X

STUDENT ADMISSIONS, ATTENDANCE, AND SUSPENSION/EXPULSION POLICIES

Admission Requirements

“Admission requirements, if applicable.”

-California Education Code 47605(b)(5)(H)

The Charter School will be nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition nor 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 Charter School shall comply with all applicable legally required minimum and maximum age requirements. The Charter School shall admit all pupils who wish to attend the Charter School. No test or assessment shall be administered to students prior to acceptance and enrollment into the Charter School.

The recruitment activities are planned to reach all students in grades Kindergarten through grade eight during the first year, and grades Kindergarten through nine in year two with the flexibility to begin grades 9-12 that same year if deemed appropriate by the Charter School to meet the needs of the surrounding communities and to promote a diverse student base. Information will be submitted to local newspapers introducing Pacific Valley Charter Academy and our vision for our students. An informative website will be developed and will be regularly updated with information about Pacific Valley Charter Academy and our admission process. An information brochure will be developed in both English and Spanish. A series of widely publicized information meetings will be held to inform the community about Pacific Valley Charter Academy and the admission process. Advertisements will be taken out in local newspapers, such as the Vacaville Reporter. Information about Pacific Valley Charter Academy will be provided to local community based organizations and groups, and to local churches.

A copy of the Pacific Valley Charter Academy handbook will be available on the Pacific Valley Charter Academy website and a copy will be provided to each student annually at the beginning of the school year.

Enrollment in Pacific Valley Charter Academy will be open to any student or resident of California within Solano County and contiguous counties committed to completing an academically rigorous program in an independent study format. The Charter School is a school of choice and no student shall be required to attend the Charter School. Enrollment is not based on prior academic achievement. Pacific Valley Charter Academy is a partnership between the school, the student, and the student's family. In this partnership, each party has responsibilities. As part of the admission process all three parties, Pacific Valley Charter Academy, the student and their parent or guardian, must FIRST meet with the Pacific Valley Charter Academy Director. The parent and student will then sign the agreements that outline the expectations of all of the stakeholders. In addition, enrollment will be ongoing unless staffing prevents additional students to be enrolled.

Pacific Valley Charter Academy will admit all students who wish to enroll, subject to capacity and interview with the Pacific Valley Charter Academy Director. If the number of students wishing to attend exceeds the Pacific Valley Charter Academy capacity, a public random drawing consistent with the provisions of Education Code 47605(d)(2)(B) will be used to select students. Admission preferences in the case of a public random drawing shall be given to the following students in the following order:

1. All students currently enrolled in the Charter School
2. Siblings of enrolled students
3. Students of Charter School teachers and staff
4. Residents of the District
5. All other applicants

This lottery will be conducted in a public setting, at a time and place (e.g., the main school site in Vacaville) to be made known in advance to the community. The lottery process will be used to determine who will be offered enrollment, and the order of the waiting list.

A waiting list of applicants at each grade and in each geographic area will be maintained to fill vacancies that occur during the school year. When a drawing is necessary after an enrollment period has ended, it will be conducted in accordance with the preference groups established herein.

The Charter School and District mutually agree that the preferences in the public random drawing as listed above are consistent with Education Code Section 47605(d)(2) and applicable federal law and non-regulatory guidance; however, should the preferences require modification in order to meet requirements of the Public Charter Schools Grant Program (PCSGP), such modifications may be made at the Charter School's discretion without any need to materially revise the charter as long as such modifications are consistent with the law and written notice is provided by the Charter School to the District.

Any applicant that has filed false information on any form in order to gain entrance to Pacific Valley Charter Academy will not be admitted. If at any subsequent point it has been factually determined that an applicant filed false information to gain admission into Pacific Valley Charter Academy, then that student may be withdrawn from Pacific Valley Charter Academy after an opportunity to appear and present to the PCI Board of Directors.

Means to Achieve Racial/Ethnic Balance Reflective of District

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

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

Pacific Valley Charter Academy will strive, through recruitment and admissions practices, to achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the Vacaville Unified School District. Students will be considered for admission without regard to ethnicity, national origin, gender, gender expression, gender identity, disability, sexual orientation or any of the characteristics listed in Education Code Section 220.

Pacific Valley Charter Academy will implement a recruitment strategy that includes, but is not necessarily limited to, the following elements or strategies which focus on achiev-

ing and maintaining a racial and ethnic balance among students that is reflective of the general population residing within the territorial jurisdiction of VUSD, including providing Spanish language materials:

An enrollment process that is scheduled and adopted to include a timeline that allows for a broad-based application process:

- The development and distribution of promotional and informational materials that reaches out to all of the various racial and ethnic groups represented in the territorial jurisdiction of VUSD and Solano County.

Outreach activities may include, but are not limited to:

- Press releases and other communications with local print and broadcast news media;
- Posting of notices or banners in libraries and other public buildings and spaces, as well as with local businesses and religious institutions

As part of outreach to Spanish speakers, Pacific Valley Charter Academy prepares:

- General information sheets, and other key documents, including the school vision and mission statement in Spanish
- Information in Spanish on the Pacific Valley Charter Academy website

Public School Attendance Alternatives

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

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

No student shall be required to attend Pacific Valley Charter Academy. Students who opt not to attend Pacific Valley Charter Academy may attend the schools in the school district where they reside or pursue an inter-district transfer in accordance with existing enrollment and transfer policies of their district or county of residence. Parents and guardians of each student enrolled in Pacific Valley Charter Academy will be informed on admissions forms that the students have no right to admission in a particular school of a local education agency (or program of any local education agency) as a consequence of

enrollment in Pacific Valley Charter Academy, except to the extent that such at right is extended by the local education agency.

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 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. Although many of the students of the Charter School work from home, this policy is written broadly to apply as needed to the Charter School students at school-sponsored activities or at school facilities.

Staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will clearly describe discipline expectations, and it will be printed and distributed as part of the Student & Parent Information Packet which is sent to each student at the beginning of the school year.

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

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that these Policy and Administrative Procedures are available on request at the 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 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 regular education students except when federal and state law mandates additional or different procedures. Charter School will follow all applicable federal and state laws when imposing any form of discipline on a student identified as an individual with disabilities or for whom 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.

A. Grounds for Suspension and Expulsion of Students

A student may be suspended or expelled for prohibited misconduct if the act is 1) related to school activity, 2) school attendance occurring at Charter School or at any other school, or 3) a Charter School sponsored event. A Pupil may be suspended or expelled for acts that are enumerated below and related to school activity or attendance that occur at any time, including, but not limited to, and of the following:

- a) while on school grounds.
- b) while going to or coming from school.
- c) during, going to, or coming from a school-sponsored activity.

B. Enumerated Offenses

1. Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:

- a. Caused, attempted to cause, or threatened to cause physical injury to another person.
- b. Willfully used force of violence upon the person of another, except self-defense.
- c. Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e. Committed or attempted to commit robbery or extortion.
- f. Caused or attempted to cause damage to school property or private property.
- g. Stole or attempted to steal school property or private property.
- h. Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i. Committed an obscene act or engaged in habitual profanity or vulgarity.
- j. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.

- l. Knowingly received stolen school property or private property.
- m. Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n. Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- o. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- p. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q. Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or 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.
- r. Made terrorist threats against school officials and/or school property. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
- s. Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t. Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.

- u. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- v. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 - 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.

- w. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
- x. Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.

2. Non-Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:

- a. Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.

3. Discretionary Expellable Offenses: Students may be expelled for any of the following acts when it is determined the pupil:

- a. Caused, attempted to cause, or threatened to cause physical injury to another person.
- b. Willfully used force of violence upon the person of another, except self-defense.
- c. Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.

- e. Committed or attempted to commit robbery or extortion.
- f. Caused or attempted to cause damage to school property or private property.
- g. Stole or attempted to steal school property or private property.
- h. Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i. Committed an obscene act or engaged in habitual profanity or vulgarity.
- j. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
- l. Knowingly received stolen school property or private property.
- m. Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n. Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- o. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- p. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q. Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or 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.
- r. Made terrorist threats against school officials and/or school property. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime

which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.

- s. Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t. Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- v. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act
 - 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.
- w. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
- x. Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.
4. Non-Discretionary Expellable Offenses: Students must be expelled for any of the following acts when it is determined pursuant to the procedures below that the pupil:
- a. Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the

students had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.

If it is determined by the Board of Directors that a student has brought a fire arm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994.

The term "firearm" means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

The term "destructive device" means (A) any explosive, incendiary, or poison gas, including but not limited to: (i) bomb, (ii) grenade, (iii) rocket having a propellant charge of more than four ounces, (iv) missile having an explosive or incendiary charge of more than one-quarter ounce, (v) mine, or (vi) device similar to any of the devices described in the preceding clauses.

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Principal or the Principal's designee with the student and his or her parent and, whenever practical, the teacher, supervisor or school employee who referred the student to the Principal. The conference may be omitted if the Principal or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference.

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the

opportunity to present his or her version and evidence in his or her defense.

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

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

2. Notice to Parents/Guardians

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

3. Suspension Time Limits/Recommendation for Placement/Expulsion

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

Upon a recommendation of Placement/Expulsion by the Principal or 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 Principal or designee upon either of the following de-

terminations: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

D. Authority to Expel

A student may be expelled either by the Board of Directors following a hearing before it or by the Board of Directors upon the recommendation of an Administrative Panel to be assigned by the Board of Directors 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 Board of Directors. 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 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 of Directors for a final decision whether to expel. The hearing shall be held in closed session unless the pupil makes a written request for a public hearing three (3) days prior to the hearing.

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

1. The date and place of the expulsion hearing.

2. A statement of specific facts, charges and offenses upon which the proposed expulsion is based.
3. A copy of 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 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 Offences

The Charter School may, upon finding a good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations which shall be examined only by the Board of Directors, administrative panel, 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 not alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing 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 circumstances can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a

parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

G. Record of Hearing

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

H. Presentation of Evidence

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

Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay and sworn declarations may be admitted as testimony from witnesses of whom the Board of Directors, 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 accused 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 of Directors who will make a final determination regarding the expulsion. The final decision by the Board of Direc-

tors shall be made within ten (10) school days following the conclusion of the hearing. The decision of the Board of Directors is final.

If the expulsion hearing panel decides not to recommend expulsion, the pupil shall immediately be returned to his/her educational program.

I. Written Notice to Expel

The Chief Executive Officer / Director or designee following a decision of the Board of Directors to expel shall send written notice of the decision to expel, including the Board of Directors' adopted findings of fact, to the student or parent/guardian. This notice shall also include the following:

1. Notice of the specific offense committed by the student
2. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the Charter School.

The Director or designee shall send a copy of the written notice of the decision to expel to the student's district of residence. This notice shall include the following:

1. The student's name
2. 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 District upon request.

K. No Right to Appeal

The pupil shall have no right of appeal from expulsion from the Charter School as the Board of Directors decision to expel shall be final.

L. Expelled Pupils/Alternative Education

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

M. Rehabilitation Plans

Students who are expelled from the Charter School shall be given a rehabilitation plan upon expulsion as developed by the Board of Directors 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 (1) 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, school district or Charter School shall be in the sole discretion of the Board of Directors following a meeting with the Director and the pupil and guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Director shall make a recommendation to the Board of Directors 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

i. Notification of District

The Charter School shall immediately notify the District and coordinate the procedures in this policy with the District the discipline of any student with a disability or student who the Charter School or District would be deemed to have knowledge that the student had a disability

ii. Services During Suspension

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

iii. Procedural Safeguards/Manifestation Determination

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

- a) If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or

- b) If the conduct in question was the direct result of the local educational agency's failure to implement the IEP.

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

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

- a) Conduct a functional behavioral assessment or a functional analysis assessment, and implement a behavioral intervention plan for such child, provided that 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 team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a result of the failure to implement the IEP, then 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.

iv. 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.

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.

v. 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 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.

vi. Interim Alternative Educational Setting

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

vii. 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 district'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 stu-

dent may assert any of the protections available to IDEIA-eligible children with disabilities, including the right to stay-put.

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

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

SECTION XI

FINANCIAL PLANNING, BUSINESS MATTERS, REPORTING AND ACCOUNTABILITY

Pacific Valley Charter Academy is a wholly separate and independent entity from VUSD.

Pacific Valley Charter Academy will receive funding in accordance with Education Code 47630 et seq., and applicable federal law. Pacific Valley Charter Academy may receive its funding directly from the state or through any other available mechanism. Any funds due to Pacific Valley Charter Academy that flows through VUSD will be promptly forwarded to Pacific Valley Charter Academy in accordance with law. PCI and Pacific Valley Charter Academy will negotiate in a good faith to develop a memorandum of understanding that establishes the specific financial and service relationship between the two parties.

VUSD will reimburse its actual costs up to 1% of the revenue of Pacific Valley Charter Academy (defined in accordance with Education Code 47613(a) through (f) supervision and oversight costs. “Revenue” is defined by Education Code 47613(f) as the general-purpose entitlement and categorical block grant, as defined in subdivision (a) and (b) of Education Code 47632. VUSD will provide and/or perform the supervisory oversight tasks and duties specified by Education Code 47604.32 and/or necessitated by the Charter. These supervisory oversight services also include, but are not necessarily limited to, the following:

- Good faith efforts to develop any needed additional agreements to clarify or implement the Charter
- Regular review, analysis, and dialogue regarding the annual performance report of the school
- Monitoring of compliance with the terms of this Charter and related agreements
- Good faith efforts to implement the dispute resolution and related process described in the Section IX of this Charter

- Timely and good faith review of requests to renew or amend this Charter as permitted under law.

Fiscal Strength and Support

PCI has significant financial strength. This strength includes strong financial reserves of over 10%. Pacific Valley Charter Academy is able to apply for a charter School Revolving Loan for up to \$380,000, immediately upon approval.

Pacific Valley Charter Academy will conduct its own financial systems provided under PCI. These include accounting and payroll services, including STRS and PERS reporting, and state reporting (to the California Department of Education). PCI also uses PowerSchool, a student information system (SIS) used extensively in California and through the United States. PowerSchool will be used for student attendance accounting (average daily attendance claims and support for audits of attendance) by the California Department of Education. This SIS also provides comprehensive student databases, state reporting, scheduling, and administrative tools. PCI will provide all administrative services, further ensuring high quality services, in a cost-effective manner.

The same back office personnel and support that currently supports Heritage Peak Charter School will serve Pacific Valley Charter Academy. These services include accounting and payroll, enrollment, STRS, PERS, Inventory, and state reporting (to the California Department of Education). Pacific Valley Charter Academy will work directly with VUSD for reporting and oversight as required by law.

Reporting Requirements

The following reports, or reports that will provide equivalent information to meet the legal requirements will be submitted to the authorizing body:

California Basic Educational Data System, Actual Daily Attendance Reports, Budget (J210 or other approved document) both preliminary and final, School Accountability Report Card when made available for the appropriate year, Copies of annual, and independent financial audits employing generally accepted accounting principles. In addition, Standardized Testing and Reporting or Alternative Standardized Testing and Reporting,

California English Language Development test, Spanish Assessment of Basic Education, and the California High School Exit Examination.

Insurance

PCI will secure and maintain, on behalf of Pacific Valley Charter Academy, commercially reasonable general liability, worker's compensation, and other necessary insurance coverage. PCI will secure and maintain, at a minimum, insurance as set forth below to protect Pacific Valley Charter Academy from claims that may arise from its operations:

Workers' compensation insurance in accordance with the provisions of the California Labor Code, adequate to protect Pacific Valley Charter Academy from claims under Workers' Compensation Acts, which may arise from its operations;

General Liability, Comprehensive Bodily Injury, and Property Damage Liability for combined single limit coverage of not less than \$2,000,000 for each occurrence. The policy will be endorsed to name VUSD as an additional insured.

(These amounts may be altered upon recommendations of the insurer as required by agreement between the VUSD and PCI.)

PCI will maintain adequate property and liability insurance, for Pacific Valley Charter Academy. Types and amounts will be agreed upon in an operational agreement between VUSD and PCI. Consistent with Education Code 47604(c) proof of insurance will be provided to the chartering agency prior to the opening of the school and thereafter each July 1st.

Administrative and Academic Support Services

Pacific Valley Charter Academy seeks to have an appropriate and mutually cooperative business relationship with VUSD for submission of all required reports. PCI will conduct all of the business services on behalf of Pacific Valley Charter Academy on a percentage basis of all services and support rendered to the school. This support includes back office, academic, special education, and executive management from PCI for Pacific Valley Charter Academy. Any additional contracts will be vetted for conflict of interest as

adopted by the PCI Board of Directors. In the first year, academic support in core subject areas will be higher from PCI (13% of revenue) to ensure systems are in place. After the first year, this amount will not longer be charged for academic support and only back of-fice support will be included. Pacific Valley Charter Academy will have the academic support and special education services in house with in house staff at the school. The services currently provided to Vacaville Learning Center will continue when it becomes a separate charter school.

Annual Performance Report

The PCI board will annually review the effectiveness of Pacific Valley Charter Academy. The review will be guided by three key questions:

1. Is the academic program a success?
2. Is the school a viable organization?
3. Is the school true to the charter?

Pacific Valley Charter Academy will compile and provide the chartering agency of each year an Annual Performance Report agreed upon by both the school and the district.

This report will, at a minimum, include the following data:

- Summary data showing student progress towards the goals and outcomes specified in Section IV from assessment instruments and techniques listed in Section IV.
- An analysis of whether student performance is meeting the goals specified in Section IV. This data will be displayed on both a school-wide basis and disaggregated by significant groups as outlined by CDE to the extent feasible without compromising student confidentiality
- A summary of major decisions during the year
- Other information regarding the educational program and the administrative, legal, and governance operations of the school relative to compliance with the terms of the charter generally.

Internal Financial Controls

Pacific Valley Charter Academy, with the support of PCI, will use the controls established for Heritage Peak Charter School. The last seven years independent auditors including Gilbert and Associates, Perry Smith, LLC, and James Marta & Company all agree in their analysis that PCI and its schools successfully segregate duties to ensure financial controls are in place.. All accounts payables for the school will be processed by the PCI technician in AptaFund. The Chief Executive Officer signs off on all requisitions. The Business Manager process all of the purchase orders and then provides the ledger for the signing off to the Chief Executive Officer for final approval via initial for each purchase order previously signed off in AptaFund. The Chief Operation Officer signs the ledger of the requisitions prior to check mailing. Upon the ledger report being reviewed and approved by line item, the checks are mailed to vendors. No purchases will be approved by Pacific Valley Charter Academy without the process described above. The Chief Executive Officer maintains full accountability of all purchases made by the school.

All payroll is managed by the Chief Executive Officer and the Chief Operating Officer once a month upon submission by all staff with signed payroll forms. The Chief Operation Officer compiles all payroll for the organization. The Chief Executive Officer and Chief Operation Officer enter all of the payroll for the month into an Excel spreadsheet, which after review, is forwarded to the Business Manager. The Business Manager then inputs in the information into AptaFund and then prints a draft of the ledger to be reviewed by the Chief Operation Officer. Once this review is completed, the payroll is submitted to AptaFund (and Wells Fargo) for final dispatch of direct deposit into the employees accounts.

The Business Manager will manage the retirement plans (STRS, PERS, 401k) monthly through the payroll system, AptaFund. Payments and reports will be submitted to SCOE before the end of each month.

Accounts receivable will arrive to the Chief Operation Officer and Business Manager, who endorses the checks with a 'for deposit only' stamp and deposits the checks directly to Wells Fargo Bank. The receipts will be forwarded to the Business Manager for posting. The bank account is reconciled on a monthly basis and the reconciliation is signed off by the Chief Operation Officer.

All of the above procedures are analyzed annually by James Marta & Company during the independent audit procedures.

Audits

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

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

An annual independent fiscal audit of the books and records of Pacific Valley Charter Academy will be conducted as required under the Charter Schools Act 47605(b)(5)(I) and 47605(m). The books and records of Pacific Valley Charter Academy will be kept in accordance with the generally accepted accounting principles, and as required by applicable law and the audit will employ generally accepted accounting procedures for public schools in the State of California. The audit of Pacific Valley Charter Academy may be included in the audit of all schools operated by PCI so long as the audit provides separate revenues and expenditures for each charter school as well as the balance sheet data for each charter school. The audit will be conducted in accordance with applicable provisions within the California code of Regulations governing audits of charter schools as published in the State Controllers K-12 Audit Guide.

The Board will select an independent financial auditor from the list approved by the State Controller's Office through a request for proposal format and will either oversee the independent audit directly or through an Audit Committee of the Board. The auditor will have, at a minimum, a CPA and educational institution audit experience and approved by the State Controller on its published list as an educational audit provider. To the extent required under applicable federal law, the audit scope will be expanded to include items and processes specified in applicable Office of Management and Budget Circulars.

It is anticipated that the annual audit will be completed within four months of the close of the fiscal year and that copy of the auditor's findings will be forwarded to VUSD, the County Superintendent of Schools, the State Controller, and to the CDE by the 15th of

December of each year. A review of each year's audit will occur at a Board meeting. Copies of each audit will be available on request to parents and any other community member. The Chief Executive Officer, along with the audit committee (if applicable), will review any audit exceptions or deficiencies and then report to the Board with recommendations on how to resolve them. The Board will submit a report to VUSD describing how the exceptions and deficiencies have been corrected by the time of the audit submission, along with supporting documentation. Additionally, the Charter School will inform VUSD of any outstanding exceptions or deficiencies at the time of audit submission and how they will be resolved to the satisfaction of VUSD along with an anticipated timeline for the same. Typically all audit exceptions or deficiencies will be addressed within six months. Any disputes regarding the resolution of audit exceptions and deficiencies will be referred to the dispute resolution process referenced in Section IX of this Charter or, if applicable, referred to the Education Audit Appeals Panel process in compliance with Education Code Section 41344.

The independent fiscal audit of Pacific Valley Charter Academy is a public record and will be provided to the public upon request.

In accordance with Education Code 47604.3, Pacific Valley Charter Academy will promptly respond to all reasonable inquiries of the chartering agency. Pacific Valley Charter Academy recognizes the right of the chartering agency to inspect or observe any part of Pacific Valley Charter Academy at any time.

For the last six years PCI has received unqualified, positive fiscal and compliance audits from the highly qualified firms of Perry-Smith LLC and Gilbert and Associates. The 2010-2011 Audit can be found as Appendix 5.

Budgets and Cash Flow

Governing Law: The petitioner or petitioners shall also be required to provide financial statements that include a proposed first year operational budget, including startup costs, and cash flow and financial projections for the first three years of operation.

-California Education Code 47605(g)

See Appendix 6 for the following items:

- A projected first year budget, including startup costs
- Cash flow and financial projections for the first three years of operation

These documents are based upon certain projected enrollments for the three years. The documents are also based on the best estimates of revenues and costs available to the Charter School at this time.

Financial Reporting

Pacific Valley Charter Academy will provide reports to VUSD as follows, and will provide additional fiscal reports as requested by VUSD:

1. By July 1, a preliminary budget for the current fiscal year. For a charter School in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement.
2. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of Pacific Valley Charter Academy's annual, independent financial audit report for the preceding fiscal year will be delivered to the District, State Controller, State Department of Education, and County Superintendent of Schools.
3. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
4. By September 15, a final un-audited report for the full prior year. The report submitted to the District will include an annual statement of all Pacific Valley Charter Academy's receipts and expenditures for the preceding fiscal year.

PCI and Pacific Valley Charter Academy will maintain appropriate records. In accordance with the timelines required by Education Code 47604.33, a copy of the proposed fiscal year budget for Pacific Valley Charter Academy, financial reports, and un-audited actuals will be forward to VUSD. Pacific Valley Charter Academy will be operated in accordance with generally accepted accounting principles ("GAAP"). A business operations manual has been developed/adopted and will be utilized for Pacific Valley Charter Academy's day-to-day business functions. *The charter school will promptly respond to all reasonable inquiries, including inquiries regarding financial records.*

During the first year of operation, Pacific Valley Charter Academy will submit the SB 740 Funding Determination to the California Department of Education.

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).

Pacific Valley Charter Academy will be an independent study charter school, requiring less facilities than a traditional school setting as only a portion of students would be on the site at any one time. The facility is located in Vacaville at 354 Parker, Vacaville and accessible by students by foot, bus, or car. Because of the flexibility independent study, the school ensures that the facilities align with all building and fire codes for instructional purposes. In addition, Pacific Valley Charter Academy, or PCI, will alert the district at least 30 days prior to occupancy of every site to be leased, purchased, or controlled by the school for instructional purposes. PCI does not intend to pursue Proposition 39 with the district. The current Heritage Peak Charter School location at 354 Parker Street, Vacaville will be used for students. Since Pacific Valley Charter Academy is an independent study charter school, there is flexibility to better meet the needs of the students and remain in compliance with both zoning and building codes. Pacific Valley Charter Academy will NOT pursue Prop 39.

SECTION XII

POTENTIAL CIVIL LIABILITY EFFECTS

“Potential civil liability effects, if any, upon the school and upon the District.”

-California Education Code Section 47605(g)

Intent

This statement is intended to fulfill the terms of Education Code 47605(g) and provide information regarding the proposed operation and potential effects of Pacific Valley Charter Academy and VUSD.

Civil Liability/ Insurance

Pacific Charter Institute, the existing California non-profit public benefit corporation, will operate Pacific Valley Charter Academy. This corporation is organized and operated exclusively for charitable purposes within the meaning of 501(c)(3) of the Internal Revenue Code and California Revenue and Taxation Code 23701(d).

Pursuant to Education Code 47604(c), an entity that grants a charter to a charter school operated by or as a non-profit public benefit corporation will not be liable for the debts or obligations of the Charter School or for claims arising from the performance of acts, errors or omissions by the Charter School if the authority has complied with the oversight responsibilities required by law. Pacific Valley Charter Academy will work diligently to assist the District in meeting any and all oversight obligations under the law, including meetings as requested, statutory fiscal reporting, or other requested protocols to ensure the District will not be liable for the operation of Pacific Valley Charter Academy.

PCI Bylaws will provide for indemnification of the Board, officers, agents, and employees, and PCI will purchase general liability insurance, Directors and Officers insurance, and workers compensation. The District will be named an additional insured on the general liability insurance of Pacific Valley Charter Academy.

SECTION XIII

CLOSURE PROTOCOL

Governing Law: A description of the procedures to be used if the charter School closes, The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the School, including plans for disposing of any net assets and for the maintenance and transfer of pupil records. (Education Code Section 47605(b)(5)(P))

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

The Chief Executive Officer, under the direction of the Board of Directors, will promptly notify parents and students of the Charter School, the District, the County Office of Education, the School's SELPA, the retirement systems in which the School's employees participate (e.g., Public Employees' Retirement System, State Teachers' Retirement System, and federal social security), and the California Department of Education of the closure as well as the effective date of the closure. This notice will also include the name(s) of 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 Chief Executive Officer will ensure that the notification to the parents and students of the Charter School of the closure provides information to assist parents and students in locating suitable alternative programs. This notice will be provided promptly following the Board's decision to close the School.

The Board will also develop a list of pupils in each grade level and the classes they have completed, together with information on the pupils' districts of residence, which they will provide to PCI. As applicable, the School will provide parents, students and the District with copies of all appropriate student records and will otherwise assist students in transferring to their next school. All transfers of student records will be made in compliance with the Family Educational Rights and Privacy Act ("FERPA") 20 U.S.C. § 1232g. The

School will ask the District to store original records of Charter School students. All records of the School shall be transferred to the District upon 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 PCI, responsible for closure-related activities in accordance with applicable law.

As soon as reasonably practical, the School will prepare final financial records. The School will also have an independent audit completed within six months after closure. The School will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by the School and will be provided to the 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 School will complete and file any annual reports required pursuant to Education Code section 47604.33.

On closure of the School, all assets of the School, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending the School, remain the sole property of the Pacific Valley Charter Academy and PCI and reserves the right to distribute these assets in accordance with the Articles of Incorporation upon the dissolution of the non-profit public benefit corporation to another public educational entity. Any assets acquired from the District or District property will be promptly returned upon School closure to the District. The distribution shall include return of any grant funds and restricted categorical funds to their source in accordance with the terms of the grant or state and federal law, as appropriate, which may include submission of final expenditure reports for entitlement grants and the filing of any required Final Expenditure Reports and Final Performance Reports, as well as the return of any donated materials and property in accordance with

any conditions established when the donation of such materials or property was accepted.

On closure, the School shall remain solely responsible for all liabilities arising from the operation of the School.

As the School is operated by a non-profit public benefit corporation, should the corporation dissolve with the closure of the School, the Board will follow the procedures set forth in the California Corporations Code for the dissolution of a non-profit public benefit corporation and file all necessary filings with the appropriate state and federal agencies.

As specified by the Budget in Exhibit 9, the Charter School will utilize the reserve fund to undertake any expenses associated with the closure procedures identified above.

SECTION XIV

MISCELLANEOUS

Administrative Services

Pacific Valley Charter Academy will provide its own administrative services. It is anticipated at this time that these services will be provided by employees of the Charter School. However, the Charter School reserves the right to contract for administrative services as may be required from time to time to ensure the effective and efficient administration of the Charter School. Please see additional information in Section XI.

Facilities

Pacific Valley Charter Academy will provide its own facilities for its school site(s) and will not invoke Proposition 39. Please see additional information in Section XI.

Transportation

Pacific Valley Charter Academy is a school of choice and therefore it will be the responsibility of the parents/guardians to provide transportation of students to and from the school, except as required by law for students with disabilities in accordance with a student's IEP.

Renewal of Charter

VUSD agrees to receive and review the annual fiscal audit and Performance Report as specified in Section XI. Within two months of the receipt of these Annual Reports, VUSD will notify in writing the Board if it does not consider the school to be making satisfactory progress relative to the goals specified in this Charter. This notification will include a specific listing and description of any areas of concern.

Pacific Valley Charter Academy may request from VUSD a renewal, material revision, or amendment of the Charter at any time prior to expiration. A renewal request should be presented by Pacific Valley Charter Academy no later than 120 days prior to the expiration of the Charter. The chartering agency agrees to hear and render a decision regard-

ing a renewal, material revision, or amendment to the Charter pursuant to the criteria and standards as specified in the Charter Schools Act, Education Code Sections 47607 and 47605.

Term of the Charter

The term of the Pacific Valley Charter Academy charter will be five years from the first day Pacific Valley Charter Academy commences classes eligible for apportionment. *The purpose of five years for approval is to ensure that the school has the appropriate time to demonstrate academic excellence. In addition, testing information always lags one school year from the state of California. Most programs begin gaining academic momentum at the beginning of the third and into the fourth year, and with test scores not available until year five, the fifth year is critical to demonstrate the overall success of the organization. At this point, it is also possible to disseminate the best practices at Pacific Valley Charter Academy to other charter and traditional public schools.* Pacific Valley Charter Academy and the chartering agency agree to work together to accomplish all tasks necessary to fully implement this charter, including, but not limited to, the submission of any necessary and prepared waiver requests to the State Board of Education.

Severability

If any provision or any part of this agreement is for any reason held to be invalid and / or unenforceable, or contrary to public policy, law, or statute and/or ordinance, the remainder of this agreement will not be affected thereby and will remain valid and fully enforceable.

Attachments (Appendices)

The documents and materials attached to this charter petition (e.g., appendices) are for informational purposes only and are not part of the charter.

Binder Tab 2

Vacaville Unified School District Minutes

Created: August 08, 2013 at 02:05 PM

Regular Governing Board Meeting (Closed Session begins at 6:00 PM; Open Session begins at 7:00 PM)

July 18, 2013

Thursday, 06:00 PM

EDUCATIONAL SERVICES CENTER

401 Nut Tree Road

Vacaville, California 95687

Attendees

Jerry Eaton	Board Member	
Michael Kitzes	Board Member	
Larry Mazzuca	Board Vice President	
David McCallum	Board President	
Theresa Nutt	Board Member	
Whit Whitman	Board Member	
Teresa Flores	Executive Secretary	<i>non-voting</i>
Mark Frazier	Chief Academic Officer	<i>non-voting</i>
Randy Henry	Chief Human Resources Officer	<i>non-voting</i>
Ken Jacopetti	Superintendent	<i>non-voting</i>
Kari Sousa	Associate Superintendent	<i>non-voting</i>
Danielle Storey	Assistant Superintendent	<i>non-voting</i>
Donna Suchoski	Staff Secretary	<i>non-voting</i>

1. ESTABLISH QUORUM/CALL TO ORDER

Minutes

President McCallum called the Closed Session meeting to order at 6:00 p.m. Trustee Eaton arrived at 6:03 p.m.; Trustee Nutt arrived at 6:10 p.m. Trustee Mahlberg was absent from the meeting.

2. COMMENTS FROM THE FLOOR (CLOSED SESSION ITEMS ONLY)

a. CLOSED SESSION COMMENTS FROM THE FLOOR: 3-minute time limit per individual; 20-minute time limit per topic

Persons wishing to speak to Closed Session items are asked to complete a "Request to Speak" card and present it to the President prior to the meeting. Persons submitting a "Request to Speak" card will be given an opportunity to speak at this time.

Persons who have complaints against Board Members or staff are encouraged to seek resolution of those complaints by utilization of the Vacaville Unified School District written complaint procedure rather than orally addressing them at a meeting. Speakers are cautioned that under California law no person is immune from liability for making intentionally false or defamatory comments regarding any person simply because those

comments are made at a public meeting.

Minutes

There were no comments from the floor on items on the Closed Session agenda.

3. CLOSED SESSION

a. Public Employee Employment/Discipline/Dismissal/Release/Re-Assignment/Resignation

b. Negotiations Update

4. WELCOME PUBLIC - REGULAR MEETING (7:00 P.M.)

Minutes

President McCallum called the meeting to order at 7:05 p.m.

5. REPORT CLOSED SESSION ACTIONS

Minutes

President McCallum reported that during Closed Session the Board discussed employee group negotiations and employee discipline issues.

6. MOMENT OF REFLECTION

Minutes

President McCallum asked all in attendance to observe a moment of reflection.

7. PLEDGE OF ALLEGIANCE

Minutes

Trustee Whitman led the Pledge of Allegiance.

8. APPROVAL OF AGENDA

a. Approval of July 18, 2013 Agenda (V)

Motion made by: Whit Whitman

Seconded by: Michael Kitzes

Votes

Unanimously Approved

9. COMMENTS FROM THE FLOOR

a. COMMENTS FROM THE FLOOR: 3-minute time limit per individual; 20-minute time limit per topic

ITEMS NOT ON THE AGENDA - Persons wishing to speak to items **not on the agenda** are asked to complete a "Request to Speak" card and present it to the President prior to the meeting. Persons submitting a "Request to Speak" card will be given an opportunity to

speak **at this time**.

ITEMS ON THE AGENDA - Persons wishing to speak to items **on the agenda** are asked to complete a "Request to Speak" card and present it to the President prior to the meeting. Persons submitting a "Request to Speak" card will be given an opportunity to speak **at the time the item is discussed** by the Board.

Persons who have complaints against Board Members or staff are encouraged to seek resolution of those complaints by utilization of the Vacaville Unified School District written complaint procedure rather than orally addressing them at a meeting. Speakers are cautioned that under California law no person is immune from liability for making intentionally false or defamatory comments regarding any person simply because those comments are made at a public meeting.

Minutes

There were no comments from the floor on items not on the agenda.

10. SUPERINTENDENT'S COMMENTS/CORRESPONDENCE

Minutes

New VUSD Superintendent Ken Jacopetti gave a presentation on his vision for the students and staff of Vacaville Unified School District. The overarching themes of his presentation included the standard implementation of curriculum; Common Core transition; behavioral wrap-round strategies; providing support and accountability to students and staff; stress factors in education; and effective public relations.

11. BOARD MEMBER COMMENTS/CORRESPONDENCE

Minutes

There were no Board member comments/correspondence.

12. OLD BUSINESS

a. Board Action on Approval of Pacific Valley Charter Academy Petition (attachments) (V)

The Board will consider Pacific Valley Charter Academy's petition request.

MOTION: As determined by the Board.

Minutes

During comments from the floor, Paul Keefer, CEO of Pacific Valley Charter Academy, asked that the Board approve the charter and looked forward to working with VUSD to serve

students in the community. The Board discussed the Charter petition and asked questions of Mr. Keefer and attorneys representing VUSD and Pacific Valley. After the discussion, the Board voted upon the Charter's petition as follows:

A motion was made by Michael Kitzes, seconded by Larry Mazzuca, to approve Resolution No. 1, 2013-14, Resolution of the Board of Trustees to Approve the Petition for the Pacific Valley Charter Academy. The resolution failed by the following roll call vote:

Eaton	No
Kitzes	Yes
Mazzuca	Yes
McCallum	No
Nutt	No
Whitman	No

An alternate motion was made by Jerry Eaton, seconded by Whit Whitman, that the Board deny the petition for the establishment of the Pacific Valley Charter School because the Board has determined the revised petition does not contain reasonably comprehensive descriptions addressing all of the educational deficiencies identified in Resolution No. 22, 2012-13, and therefore presents an unsound educational program and the petitioners are demonstrably unlikely to successfully implement the program as set forth in the petition. The motion passed by the following roll-call vote:

Motion made by: Jerry Eaton
Seconded by: Whit Whitman

Votes

Jerry Eaton	Yes
Michael Kitzes	No
Larry Mazzuca	No
David McCallum	Yes
Theresa Nutt	Yes
Whit Whitman	Yes

13. NEW BUSINESS

a. Declaration of Need for Fully Qualified Educators (attachment) (V)

The District must annually certify that there is an insufficient number of fully credentialed highly qualified teachers in certain areas. For this reason, the District will request emergency credentials for those individuals who meet our employment criteria for positions listed. In alignment with the District's Compliance Monitoring Intervention and Sanctions Plan, the District will make every effort to hire fully credentialed, highly qualified teachers and substitutes.

MOTION: Approve Declaration of Need for Fully Qualified Educators 2013-2014.

Board Member Vote:

Motion made by: Whit Whitman

Seconded by: Michael Kitzes

Votes

Jerry Eaton	Not Present
Michael Kitzes	Yes
Larry Mazzuca	Yes
David McCallum	Yes
Theresa Nutt	Yes
Whit Whitman	Yes

b. CBEST Waivers for 30-Day Substitute Teachers for 2013-2014 (attachment) (V)

Due to a shortage of specific substitute teachers, districts have had difficulty finding individuals who qualify for the 30-Day Substitute Teacher Permit. One of the qualifications for the Substitute Teacher Permit is the passing of the California Basic Education Skills Test (CBEST). The California Commission on Teacher Credentialing will issue a one-year CBEST Waiver. Administration requests the following statement be approved by the Board: The Governing Board of the Vacaville Unified School District declares that because of the shortage of substitute teachers in California, it has been unable to recruit a large enough pool of substitute teachers who have had the opportunity to take and pass CBEST.

MOTION: Approve CBEST Waivers for 30-Day Substitute Teachers for 2013-2014.

Board Member Vote:

Motion made by: Whit Whitman

Seconded by: Larry Mazzuca

Votes

Unanimously Approved

c. Approval of District Authorized Signatures for District Bank Accounts (V)

Administration requests that the Board authorize the following personnel as signers to District bank accounts at Umpqua Bank, West America Bank, and Wells Fargo Bank: Ken Jacopetti, Superintendent; Kari K. Sousa, Associate Superintendent; Cindy Williamson, Director of Fiscal Operations; and Teresa Flores, Executive Secretary.

MOTION: Approve Authorization of VUSD Personnel as Signers to District Bank Accounts as Presented.

Board Member Vote:

Motion made by: Michael Kitzes
Seconded by: Jerry Eaton

Votes

Unanimously Approved

d. Approval of District Authorized Signatory for District Bank Accounts (V)

Administration requests that the Board authorize the following personnel as signers to the Administrator's Sunshine Fund and Board Sunshine Fund accounts at Westamerica Bank: Ken Jacopetti, Superintendent; Teresa Flores, Executive Secretary; Donna Suchoski, Staff Secretary; and remove authorization of former employee John Niederkorn.

MOTION: Approve Authorization of VUSD Personnel as Signers to District Bank Accounts as Presented.

Board Member Vote:

Motion made by: Michael Kitzes
Seconded by: Whit Whitman

Votes

Unanimously Approved

e. Will C. Wood High School Football Stadium Feasibility and Cost Study, Contract Services Agreement, HMC Architects (attachments) (V)

This is a Measure V item. The Citizens' Oversight Committee will review this item at its regular meeting on July 11, 2013. The Stakeholder Committee has completed a process to select a consultant to perform a feasibility and cost study for a potential football stadium at Will C. Wood High School. The Stakeholder Committee consists of Will C. Wood athletic staff, teachers, site administrators, parents, students, City of Vacaville representative, District facilities staff and Project Manager. The Committee held interviews on June 10, 2013, for the top three candidate firms. The Committee selected their top candidate, references were checked, and a contract for services has been negotiated to include the scope desired, a fee, and a tentative schedule for the study. HMC Architects is recommended to be approved by the Board, along with the contract for architectural/engineering services. The contract includes a minimum of three Stakeholder Committee meetings, along with two anticipated community meetings. The study will begin in August, 2013 and is scheduled to be completed by December, 2013. The not-to-exceed fee is \$27,000.00.

MOTION: Approve contract services agreement with HMC Architects, in the not-to-exceed amount of \$27,000.00, for the Will C. Wood High School Football Stadium Feasibility and Cost Study.

Minutes

Prior to Board vote on approval of the feasibility study, Leigh Coop, Director of Facilities, gave background information on the intent of the study and the make up of the stakeholder committee for the feasibility study. Following Ms. Coop's comments, the Board heard

comments from the floor in support of the approval of the feasibility study. In addition, a comment from the floor from a Citizens' Oversight Committee (COC) representative, speaking on behalf of the COC, stated that although the cost of the study is a valid Measure V expenditure, the COC questions the spending of these funds on something that is not necessarily a direct benefit to the district's students and may not rise above other needs in the district.

Motion made by: Larry Mazzuca
Seconded by: Whit Whitman

Votes
Unanimously Approved

f. Will C. Wood High School Americans with Disabilities Act (ADA) Upgrade Project in Theatre and Cafeteria, Site Lease Agreement, Roebbelen Contracting, Inc. (attachments) (V)

This is a Measure V project. The Citizens' Oversight Committee (COC) will review this item at its regular meeting on July 11, 2013. As part of the Lease-Leaseback procurement process, a site lease agreement is necessary for successful implementation of the project. This contract is necessary to lease the construction area of the affected school campus to the Lease-Leaseback entity, Roebbelen Contracting, Inc. (RCON), to enable them to perform the facility improvements. RCON has been approved as part of the lease-leaseback pool for future construction projects. This site lease agreement is for the amount of \$10.00. The scope of work in the construction project will include ADA upgrades to ramps, lifts, seating, restroom fixtures, door handles, signage, and lighting in the theatre. Cafeteria work includes safety upgrades as required to the stove, restroom fixture changes, serving area accessibility upgrades, emergency lighting, door handles, and signage.

MOTION: Approve the Site Lease Agreement with Roebbelen Contracting, Inc., in the amount of \$10.00, for the 2013 WCW Theater/Cafeteria ADA Upgrade Project.

Board Member Vote:

Minutes
New Business items 13.f., 13.g., and 13.h. were combined and voted upon together in one motion.

Motion made by: Michael Kitzes
Seconded by: Whit Whitman

Votes
Unanimously Approved

g. Will C. Wood High School Americans with Disabilities Act (ADA) Upgrade Project in Theatre and Cafeteria, Facility Lease Agreement, Roebbelen Contracting, Inc. (attachments) (V)

This is a Measure V item. The Citizens' Oversight Committee will review this item at its regular meeting on July 11, 2013, prior to the Board of Education meeting on July 18, 2013.

As part of the Lease-Leaseback (LLB) project delivery method, a facility lease agreement is necessary for successful implementation of the project. This contract enables the Lease-Leaseback entity, Roebbelen Contracting, Inc. (RCON), to perform the facility improvements on the site. Because it is a lease agreement within the LLB process, the price of construction is known as the Total Base Rent, or TBR. This facility lease agreement is in the amount of \$298,872.00. The scope of work in the construction project will include ADA upgrades to ramps, lifts, seating, restroom fixtures, door handles, signage, and lighting in the theatre. Cafeteria work includes safety upgrades as required to the stove, restroom fixture changes, serving area accessibility upgrades, emergency lighting, door handles, and signage.

MOTION: Approve the Facility Lease Agreement with Roebbelen Contracting, Inc., in the amount of \$298,872.00, for the 2013 WCW Theater/Cafeteria ADA Upgrade Project.

Board Member Vote:

Minutes

New Business items 13.f., 13.g., and 13.h. were combined and voted upon together in one motion.

Motion made by: Michael Kitzes

Seconded by: Whit Whitman

Votes

Unanimously Approved

h. Will C. Wood High School Americans with Disabilities Act (ADA) Upgrade Project in Theatre and Cafeteria, Project Inspection Services Agreement, Independent Inspection Services (IIS) (attachments) (V)

This is a Measure V item. The Citizens' Oversight Committee (COC) will review this item at its regular meeting on July 11, 2013, prior to the Board of Education meeting on July 18, 2013. A Project Inspector is required in order to complete this project. The Project Inspector is certified by the Division of the State Architect (DSA) and ensures legal compliance with the plans and specifications, as well as meeting DSA requirements on all school construction. Independent Inspection Services (IIS) has performed PI work successfully on other projects in the District and is part of the Board-approved pool of inspectors. The services agreement is in the not-to-exceed amount of \$5,200.00. The agreement provisions have been approved previously and have been effective on past projects.

MOTION: Approve the inspection services agreement with Independent Inspection Services (IIS), in the not-to-exceed amount of \$5,200.00, for the ADA Upgrade Project at Will C. Wood High School.

Board Member Vote:

Minutes

New Business items 13.f., 13.g., and 13.h. were combined and voted upon together in one motion.

Motion made by: Michael Kitzes

Seconded by: Whit Whitman

Votes

Unanimously Approved

i. Approval of Bid Awards for Child Nutrition Department, 2013-2014 (V)

Request for bids were solicited for various grocery goods and cleaning, paper, and disposable products needed by the Child Nutrition Department for the 2013-14 school year. Following public notification and timelines for submission, the bids were opened on June 5, 2013 at 3:00 p.m. Grocery bid items were required to meet SB 12 and SB 965 regulations (nutritional standards). Cleaning, paper and disposables were to be designated by percentage mark-up by category. Items in these two categories were selected by line item based on lowest responsible bidder quoting acceptable items, performance capabilities, and service issues among their duties.

The majority of the grocery item awards shall be shared by Danielson Company, Ed Jones Food Service, Hayes Distributing, and Sysco Sacramento. Producer's Dairy submitted the lowest bid for dairy products, and Holsum Produce for fresh produce. Cleaning, paper, and disposable item awards shall be shared by Danielson Company, P&R Paper Company, and Sysco Sacramento. The total estimated value of the bids are \$1,324,160.00.

MOTION: Approve VUSD Child Nutrition Bids for 2013-14 in the estimated amount of \$1,324,160.00.

Board Member Vote:

Motion made by: Whit Whitman

Seconded by: Larry Mazzuca

Votes

Unanimously Approved

14. CONSENT CALENDAR

a. CONSENT ITEMS (V) (C)

Routine items on the Consent Calendar are enacted by the Board in one motion. Discussion only occurs if members of the Board, Administration or public request specific items be discussed and/or removed from the Consent Calendar.

MOTION: Approve Consent Calendar items as presented.

Board Member Vote:

Motion made by: Larry Mazzuca

Seconded by: Jerry Eaton

Votes

Unanimously Approved

b. Approval of June 27, 2013 Regular Governing Board Meeting Minutes (attachment) (C)

c. Approve Revisions to Board Policy 5030, Student Wellness (attachment) (C)

Board policy updated for consistency with CSBA's publications "Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies" and "Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide". Policy revises language related to school gardens, summer programs as opportunities for nutrition education and physical activity, professional development, school health services, and bullying prevention. Other revisions include notes on new nutrition standards for the National School Lunch and Breakfast Programs and the proposed Federal rule regarding outside food sales and access to drinking water during mealtimes. Policy also revises language for program evaluation and frequency of program evaluation.

d. Approve Revisions to Board Policy 5131.2, Bullying (attachment) (C)

Board policy updated to ensure compliance with CDE decision that uniform complaint procedures must be used to receive and investigate student complaints involving bullying based on the characteristics covered within Education Code 234.1.

e. Approve Revisions to Board Policy 5145.3, Nondiscrimination/Harassment (attachment) (C)

Mandated policy updated to ensure compliance with CDE decision that uniform complaint procedures must be used to receive and investigate student complaints involving discrimination, harassment, and intimidation based on the characteristics covered within Education Code 234.1.

f. Request for Contract between Vacaville Unified School District and Martin Therapy Services (attachment) (C)

In accordance with Board Policy 3312, Contracts, staff requests Board approval for a contract between the District and Martin Therapy Services, at a rate of \$90.00 per hour and contract not-to-exceed \$39,960.00, in order to provide students with special education occupational therapy services.

g. Request for Contracts between Vacaville Unified School District and AlphaVista Services, Inc. (attachments) (C)

In accordance with Board Policy 3312, Contracts, staff requests Board approval for contracts between the District and AlphaVista Services, Inc., at a rate of \$78.00 per hour, and annual contracts not-to-exceed \$111,696.00 for 2012-13 and \$115,840.00 for 2013-14, in order to

provide students with special education speech and language services.

h. Request for Contracts between Vacaville Unified School District and Progressus Therapy (attachments) (C)

In accordance with Board Policy 3312, Contracts, staff requests Board approval for contracts between the District and Progressus Therapy, at a rate of \$74.00 per hour, and annual contracts not-to-exceed \$105,968.00 for 2012-13 and \$110,048.00 for 2013-14, in order to provide students with special education speech and language services.

i. Approval of Destruction of Records (C)

The Child Nutrition Department requests permission to destroy records that have exceeded the legal requirement for retention or whose usefulness ceased prior to or during the 2009-2010 school year. Records recommended for destruction are completed meal applications and daily cash receipts. These records are no longer required in hard copy retention and permanent record retention documents have been placed in an approved database. The database and subsequent backups are sufficient according to the California Department of Education. Permission is requested to destroy the original documents.

j. Approval of Destruction of Records (C)

The Business Department requests permission to destroy records that have exceeded the legal requirement for retention or whose usefulness ceased prior to or during the 2008-2009 fiscal year. Records recommended for destruction are completed warrant registers, batch reports, accounts payables vendor files, and accounts receivables invoices. These records are no longer required in hard copy retention and permanent record retention documents have been placed in an approved database. The database and subsequent backups are sufficient according to the California Department of Education. Permission is requested to destroy the original documents.

k. Approval of June 2013 Vendor Warrant Summary (attachment) (C)

This usual and customary business practice permits the District to pay vendors who supply our district with goods and services. Attached is a summary of vendor warrants issued from June 1 through June 28, 2013, in the amount of \$1,871,184.93.

l. Quarterly Report on Williams Uniform Complaints (attachment) (C)

Under the terms of the Williams Settlement Act, the District is required to report quarterly any complaints received in three general subject areas: textbooks and instructional materials, teacher vacancy or misassignments, and facilities conditions. For the quarter ending June 30, 2013 there were no complaints received.

m. Primary Instructional Materials for AP Statistics for Approval (C)

The Secondary Instruction Council requests approval of the following books which have been screened and are available through the Educational Services Department. The books are recommended for adoption as a primary instructional material in AP Statistics at Vacaville and Will C. Wood High Schools. Categorical Lottery funds will be used for this purchase.

Introduction to Statistics & Data Analysis, 4th Edition, published by Cengage Learning, copyright 2012. For use in AP Statistics, Grade 12 at Will C. Wood. Cost per book \$119.00; total cost of order \$3,530.21.

The Practice of Statistics for AP, 4th Edition, published by WH Freeman, copyright 2012. For use in AP Statistics, Grade 12 at Vacaville High School. Cost per book \$122.08.; total cost of order \$8,546.93.

n. Primary Instructional Materials for Math 7 and Math 8 (Pilot) for Approval (C)

The Secondary Instruction Council requests the submission of these textbooks to be piloted as primary instructional materials to the Board for approval. These textbooks have been screened by the various departments and are available through the Educational Services Department for review.

Core Connections course 2, 2nd Edition, published by CPM Educational Program. Copyright 2013. Cost is \$49.00. For use in grade 7. Pilot length: 1 year.

Core Connections course 3, published by CPM Educational Program. Copyright 2013. Cost is \$49.00 For use in grade 8. Pilot length: 1 year.

Textbook total cost is \$59,307.52. District categorical lottery funds will be used for this purchase.

o. Hemlock Elementary School Main Driveway Replacement Pavement Project (C)

Maintenance and Operations was granted Authorization to Advertise for bids on two asphalt projects at the April 18, 2013 Governing Board meeting. The engineer's recommendation was to completely remove the existing asphalt and base rock, replace a section of curb being lifted by tree roots, and reinstall new pavement to District Standards. Staff drafted construction documents, bid documents, and a solicitation for bids on asphalt repairs for Hemlock Elementary School.

Three contractors requested plans and specifications and two responded with bids. The results of the bid opening conducted at 2:00 p.m. on July 10, 2013 are as follows:

Company	Bid Amount
Vaca Valley Excavation	\$79,750.00
J.A. Gonzalves & Sons	\$129,000.00

Staff recommends that the bid be awarded to Vaca Valley Excavation in the amount of \$79,750.00. The increased scope of work will resolve many safety concerns at the main entrance of Hemlock Elementary and provide the District with the greatest value for funds expended.

p. Approval for Will C. Wood Sylvan Singers and Tintinnabulists to Attend Summer Workshop from August 4-9, 2013 in South Lake Tahoe, NV (C)

Will C. Wood High School is requesting permission for the Tintinnabulist and Sylvan Singers to attend a summer workshop at Zephyr Point Conference Grounds in South Lake Tahoe, Nevada, from August 4-9, 2013. Students will train in various aspects of musicianship to enhance advanced handbell ringing technique, basic show and jazz style choreography, holiday season repertoire for fall 2013, music theory and sight singing training. Participation in the workshop will establish and/or increase each ringer's ability to work in an intensive rehearsal environment where extensive learning of both skills and repertoire occurs. Students will be accompanied by David Barthelmess, Lloyd Chan, Laura Barton, and Kathy Troub, all VUSD certificated staff, plus five adult chaperones. Students will pay \$325.00 each for transportation, accommodations, and meals. Partial scholarships are available in cases of extreme financial hardship. No student will be denied the opportunity to participate because of the cost of the trip.

q. Approval for Buckingham Charter Magnet High School Boys' Varsity Soccer Team to Participate in the 12th Annual Yosemite Cup Varsity Tournament in Sonora, CA, August 29-September 1, 2013 (C)

Buckingham Charter Magnet High School Boys' Varsity Soccer Team requests approval to participate in the 12th Annual Yosemite Cup Varsity Tournament August 29-September 1, 2013. Participation will offer students the opportunity to interact with other student-athletes and strengthen team relationships. The cost of the tournament is \$125.00 per student. No student will be denied participation due to an inability to pay expenses. The 15-20 students will be chaperoned by the head coach, who is a Buckingham faculty member, an assistant, and adult/parent chaperones.

r. Approval of Obsolete Equipment (C)

The following equipment and/or supplies have been declared obsolete, not economically repairable, surplus, or of insufficient value to defray the costs of arranging a sale. The estimated value of one or more items is less than \$2,500.00. Approval of disposal of the listed items, as appropriate, are in accordance with Education Code Articles 13 and 14.

38 Computers	4 Laptops
7 Monitors	1 Power Strip
3 Printers	2 Televisions

s. Personnel Actions (attachment) (C)

15. FUTURE BUSINESS

a. Special Governing Board Workshop; July 25, 2013; 5:30 p.m. Educational Services Center

b. Regular Governing Board Meeting; August 1, 2013; 7:00 p.m. Educational Services Center

c. Regular Governing Board Meeting; August 15, 2013; 7:00 p.m. Educational Services Center

d. Special Governing Board Workshop; August 22, 2013; 5:30 p.m. Educational Services Center

16. CLOSED SESSION

Minutes

There was no need to return to Closed Session.

17. REPORT CLOSED SESSION ACTIONS

18. ADJOURNMENT

Minutes

There being no further business, President McCallum adjourned the meeting at 9:23 p.m.

Board President

Secretary



LAW OFFICES OF YOUNG, MINNEY & CORR, LLP

SACRAMENTO ■ LOS ANGELES ■ SAN DIEGO

JANUARY 10, 2014

REPLY TO SACRAMENTO OFFICE

VIA: HAND DELIVERY

PAUL C. MINNEY

JAMES E. YOUNG

LISA A. CORR

JERRY W. SIMMONS

CHASTIN H. PIERMAN

Jay Speck, Solano County Superintendent of Schools
Solano County Office of Education
5100 Business Center Drive
Fairfield, CA 94534

***Re: Pacific Valley Charter Academy Charter Petition
Appeal to the Solano County Board of Education***

KIMBERLY RODRIGUEZ

ANDREA C. SEXTON

SARAH J. KOLLMAN

JANELLE A. RULEY

ANDREW G. MINNEY

MICHELLE A. LOPEZ

SARAH K. BANCROFT

MEGAN M. MOORE

RACHAEL A. BUCKMAN

KATHLEEN M. EBERT

DREW K. RYMER

BARBARA E. HAGBERG

MARVIN H. STROUD

Dear Mr. Speck:

On July 18, 2013, the Vacaville Unified School District Board of Education (the "District Board") voted to deny the charter petition for Pacific Valley Charter Academy (the "Charter School") **without issuing written factual findings setting forth specific facts to support the District Board's grounds for denial**. The purpose of this letter is to respond to the District Board's denial of the charter petition, and to demonstrate that the District Board did not have sufficient legal grounds to deny the charter and violated Education Code Section 47605(b) by denying the petition without producing any factual findings in support of their grounds for denial.

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

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

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

The governing board of the school district shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice. The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the

OF COUNSEL

WILLIAM J. TRINKLE

particular petition, setting forth specific facts to support one or more of the following findings:

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

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

At each step of the petition process, the Charter School and District staff collaborated to meticulously craft a revised charter that would satisfy all the District Board's concerns and thereby result in approval of the charter petition. On three separate occasions, the parties mutually agreed to postpone final action by the District Board to approve the petition in order to allow additional time to resolve the District's identified "deficiencies" in the petition. (See Vacaville Unified School District Resolution No. 22, 2012-13 attached under Binder Tab 2.) As provided in the revised charter, the Charter School corrected each of the identified "deficiencies." Furthermore, District staff fully considered and evaluated the petition and recommended conditional approval of the revised charter. (See Vacaville Unified School District Resolution No. 1, 2013-14 attached under Binder Tab 2.) Despite the collaborative efforts of District staff, legal counsel for the District and Charter School, and the Charter School staff, the District Board cast those efforts aside and inexplicably denied the revised charter petition.

Specifically, the District Board denied the Charter School's revised petition because the "Board determined the revised petition does not contain reasonably comprehensive descriptions addressing all of the educational deficiencies identified in Resolution No. 22, 2012-13, and therefore presents an unsound educational program and the petitioners are demonstrably unlikely to successfully implement the program as set forth in the petition." (See Vacaville Unified School District Minutes attached under Binder Tab 2.) However, the District Board *did not issue any written findings of fact setting forth specific facts to support the District Board's grounds for denial, as required by Education Code Section 47605(b).* Further, this vote motion was made

Jay Speck

Re: Pacific Valley Charter Academy Charter Petition

Appeal to the Solano County Board of Education

January 10, 2014

Page 3 of 4

after District legal counsel stated on the record that all of the deficiencies identified in Resolution No. 22, 2012-13 had been fully addressed. Consequently, the District Board unlawfully denied the Charter School's petition, as the District Board failed to adopt any written factual findings based on the specific charter petition, supporting its grounds for denial of the charter petition, in direct violation of Education Code Section 47605(b).

Moreover, the District Board denied the petition in complete disregard of the recommendations from both District staff and District legal counsel to approve the Charter School's petition. Rather than heeding the recommendations of their advisors, the District Board inexplicably chose to deny the petition on unsupported, conclusory, verbal findings without any type of factual review of the revised charter. The District Board's denial was completely unfounded, based on incorrect facts and made in violation of the requirements set forth in law. Therefore, the District Board's verbal, nonspecific findings constitute an impermissible basis for denial of the Pacific Valley Charter Academy charter petition.

Beyond the illegality of the District Board's denial of the petition, the District Board created false hope and misled the Charter School to believe that the petition would be approved. Resolution No. 22, 2012-13, details the specific amendments to the charter petition that were necessary for District approval. The Charter School was led by the District Board and staff to believe that if it complied with all of the District's conditions, the charter petition would be approved. In reliance on the District staff's representations, the Charter School expended substantial time and money in successfully fulfilling each of the District's requirements for conditional approval of the charter. However, the District Board denied the charter in spite of the Charter School completely satisfying each and every District conditional requirement for approval.

It is our view that the District could have more appropriately dealt with the Charter School, especially in light of its record as a charter operator that achieves solid academic results with a pupil demographic almost entirely composed of high school dropouts. Pacific Charter Institute ("PCI") has proven success at its two other schools, Heritage Peak Charter School in the Twin Rivers Unified School District and Rio Valley Charter School in the Lodi Unified School District. PCI strives to provide an enlightening educational environment for a student demographic of which the public educational model has failed. Nevertheless, the District Board chose to completely ignore the Charter School's credible record of academic success and unblemished operational history, and unlawfully denied the charter petition.

Accordingly, the Charter School hereby appeals its charter petition to the Solano County Board of Education. It is the sincere hope of the Charter School to establish a productive relationship with the County staff and County Board and create a wonderful teaching environment to cultivate and enlighten the young minds of Solano County.

Jay Speck

*Re: Pacific Valley Charter Academy Charter Petition
Appeal to the Solano County Board of Education*

January 10, 2014

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The Charter School looks forward to any additional questions from the Solano County Office of Education, and collaboration with your office regarding its charter petition. Should you wish to discuss any of the aforementioned issues or require additional information, please feel free to contact me, or Dr. Paul Keefer, the lead petitioner (pkeefe@heritagepeak.org; 866.992.9033).

Sincerely,

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

A handwritten signature in blue ink, reading "Jerry Simmons", with a stylized flourish at the end.

JERRY W. SIMMONS
ATTORNEY AT LAW

**VACAVILLE UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 22, 2012-13**

**Resolution of the Governing Board
To Conditionally Approve the Petition for the Pacific Valley Charter Academy**

WHEREAS, pursuant to Education Code section 47607, a petition for the grant of a charter shall be governed by the standards and criteria set forth in Education Code section 47605; and

WHEREAS, Dr. Paul Keefer (“Petitioner”), on behalf of the Pacific Charter Institute, Inc. (“Non-Profit Corporation”), submitted a petition (“Petition”) and supporting documentation to the Vacaville Unified School District (“District”) for the grant of a charter to establish the Pacific Valley Charter Academy (“Charter School”) on or about March 7, 2013; and

WHEREAS, a public hearing to determine the level of support for the Petition by teachers, other employees of the District and parents/guardians in accordance with Education Code section 47605(b) was held on March 21, 2013; and

WHEREAS, Petitioner submitted a revised Petition and additional supporting documentation for the grant of a charter to establish the Charter School on or about April 25, 2013; and

WHEREAS, under Education Code section 47605(b) the Board was required to act on the Petition within sixty (60) days of receipt of the Petition, or by May 7, 2013; and

WHEREAS, through agreement of their respective counsel, the District and Petitioner mutually agreed to extend the deadline pursuant to Education Code section 47605(b) for final action to allow more time for the District to review the revised Petition and additional supporting documentation; and

WHEREAS, in reviewing the Petition for a charter, the Governing Board of the District is cognizant of the intent of the Legislature that charter schools are, and should become, an integral part of the California educational system, and that establishment of charter schools should be encouraged; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Governing Board of the District, having fully considered and evaluated the Petition, hereby accepts the Petition and conditionally grants Petitioner a Charter to establish the Pacific Valley Charter Academy to be operated by the Non-Profit Corporation located within the District’s boundaries, and shall serve students in grades K-12, for a term of five (5) school years, commencing July 1, 2013 and continuing through June 30, 2018, unless otherwise earlier revoked in accordance with law. (A true and correct copy of the Charter approved by the Governing Board is attached hereto as Exhibit A.)

BE IT FURTHER RESOLVED AND ORDERED that the approval granted is conditioned on the Parties reaching agreement to amend the Charter Petition regarding the enumerated elements listed below. The Governing Board of the District hereby delegates and authorizes the Superintendent or his designee to negotiate such amendments to the Charter Petition as are necessary to reflect the following:

1. A mutual agreement that the Charter School becoming an independent LEA for Special Education purposes shall constitute a material revision of the Charter.
2. A mutual agreement that the Non-Profit Corporation's Board of Directors and employees as well as the Charter School's employees shall be subject to the provisions of Government Code section 1090.
3. A mutual agreement that employees of the Non-Profit Corporation or Charter School will not also serve as members of the Non-Profit Corporation's Board of Directors.
4. A mutual agreement that the Charter School's Director shall obtain an administrative services credential within a reasonable amount of time.
5. A mutual agreement to clarify the audit procedures and how the audit findings for the Charter School and the Non-Profit Corporation will be reported in compliance with all applicable laws and regulations.
6. A mutual agreement that the dispute resolution procedure be amended to lead to a final and binding resolution if initial informal attempts at resolution are unsuccessful.
7. A mutual agreement that the Non-Profit Corporation and/or the Charter School notify the District of any complaints and/or disputes where matters within the District's oversight responsibilities are implicated.
8. A mutual agreement that upon closure of the Charter School, for whatever reason, assets in the possession of the Non-Profit Corporation or the Charter School attributable to in-District ADA be disbursed to the District.
9. A mutual agreement to clarify that the Charter School's waiver of rights to facilities under Proposition 39 is knowing and intentional.

BE IT FURTHER RESOLVED AND ORDERED that upon reaching agreement as to the Amendments to the Petition, the Governing Board of the District further delegates and authorizes the Superintendent or his designee to negotiate and enter into a Memorandum of Understanding ("MOU") between the District and Non-Profit Corporation that sets forth the arrangements and agreements between the parties in furtherance of the Charter as approved herein.

BE IT FURTHER RESOLVED AND ORDERED that pursuant to Education Code section 47605(j), the Petitioner shall provide written notice of this Governing Board approval, including a copy of the Charter and supporting documentation, to the Solano County Superintendent of Schools, and the California Department of Education.

PASSED AND ADOPTED on May 16, 2013, by the Governing Board of the Vacaville Unified School District by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

I, John Niederkorn, Secretary to the Vacaville Unified School District Governing Board of Education, do hereby declare under penalty of perjury that the foregoing is a true and correct copy of a Resolution adopted by the said Board at a regular meeting thereof at the time and by the vote above stated, which Resolution is on file in the administrative offices of said School District.

John Niederkorn, Secretary

EXHIBIT A

Please see revised Pacific Valley Charter Academy Petition attached as a separate document. Notations to the revised petition were left in the document for ease of tracking changes to the original petition.

**VACAVILLE UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 1, 2013-14**

**Resolution Of The Board of Trustees
To Approve The Petition For The Pacific Valley Charter Academy**

WHEREAS, pursuant to Education Code section 47607, a petition for the grant of a charter shall be governed by the standards and criteria set forth in Education Code section 47605; and

WHEREAS, on or about March 7, 2013, Dr. Paul Keefer ("Petitioner"), on behalf of the Pacific Charter Institute, Inc. ("Non-Profit Corporation"), submitted a petition and supporting documentation ("Petition") to the Vacaville Unified School District ("District") for the grant of a charter to establish the Pacific Valley Charter Academy ("Charter School"); and

WHEREAS, on March 21, 2013, a public hearing was held to determine the level of support for the Petition by teachers, other employees of the District and parents/guardians in accordance with Education Code section 47605(b); and

WHEREAS, on or about April 25, 2013, Petitioner submitted a revised Petition and additional supporting documentation to the District for review and through agreement of their respective counsel, the District and Petitioner mutually agreed to postpone final action by the Board of Trustees ("Board") to approve or deny the Petition to a public meeting on May 16, 2013, pursuant to Education Code section 47605(b); and

WHEREAS, a public meeting was held on May 16, 2013 for final action by the Board to approve or deny the Petition pursuant to Education Code section 47605(b), however, during that meeting the District and Petitioner mutually agreed to postpone final action on the Petition to the Board's public meeting on June 27, 2013, to allow the parties additional time to resolve the deficiencies identified in the Petition as stated in Resolution No. 22, 2012-13, attached hereto as "Exhibit A;" and

WHEREAS, on or about June 20, 2013, the District and Petitioner mutually agreed to postpone final action by the Board to approve or deny the Petition to the Board's public meeting on July 18, 2013 pursuant to Education Code section 47605(b), to allow the Petitioner additional time to confirm the Charter School's acceptance into the El Dorado County Charter SELPA, attached hereto as "Exhibit B;" and

WHEREAS, in reviewing the Petition for a charter, the Board of Trustees is cognizant of the intent of the Legislature that charter schools are, and should become, an integral part of the California educational system, and that establishment of charter schools should be encouraged; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Board of Trustees, having fully considered and evaluated the Petition, hereby accepts the Petition and grants Petitioner a Charter (attached hereto as "Exhibit C" in redline format) to establish the Pacific Valley Charter Academy to be operated by the Non-Profit Corporation located within the

District's boundaries, to serve students in grades K-12 for a term of five (5) school years, commencing July 1, 2013 and continuing through June 30, 2018, unless otherwise earlier revoked in accordance with law, subject to the following condition:

The Charter School shall execute a Memorandum of Understanding ("MOU") with the District memorializing the arrangement and agreement between the parties in furtherance of the Charter, no later than July 31, 2013.

BE IT FURTHER RESOLVED AND ORDERED that approval of the Charter is granted only on the condition that the Charter School complies with all of the requirements herein, as deemed fulfilled by the District's Administration and as set forth in the MOU to be executed no later than July 31, 2013. Accordingly, the Charter shall not become effective until all such conditions are deemed fulfilled by the District's Administration within the timeframe ordered by the Board of Trustees.

BE IT FURTHER RESOLVED AND ORDERED that the District Superintendent or his designee is authorized and directed to take such other action as he may deem warranted to implement this Resolution, including the acceptance of all revisions identified in Exhibit C into a final form of the Charter, and the execution of the MOU and any other agreements setting forth the arrangement and agreement between the parties in furtherance of the Charter as approved herein.

BE IT FURTHER RESOLVED AND ORDERED that pursuant to Education Code section 47605(j), the Petitioner shall provide written notice of this approval by the Board of Trustees, including a copy of the Charter and supporting documentation, to the Solano County Superintendent of Schools, and the California Department of Education.

PASSED AND ADOPTED on July 18, 2013, by the Board of Trustees of the Vacaville Unified School District by the following vote:

AYES:

NOES:

ABSTENTION:

ABSENT:

CERTIFICATION

State of California)
) ss.
County of Solano)

I certify the above is a true copy of a Resolution adopted by the Board of Trustees of the Vacaville Unified School District at its regularly scheduled meeting on Thursday, July 18, 2013.

Dated: July 18, 2013

BOARD OF TRUSTEES OF THE
VACAVILLE UNIFIED SCHOOL DISTRICT,
COUNTY OF SOLANO,
STATE OF CALIFORNIA

By: _____
Ken Jacopetti
Superintendent

EXHIBIT A

Resolution No. 22, 2012-13

Please see VUSD Resolution No. 22, 2012-13, attached as a separate document.

EXHIBIT B

Acceptance by El Dorado County Charter SELPA

Please see El Dorado County Charter SELPA letter attached as a separate document.

EXHIBIT C

Charter of the Pacific Valley Charter Academy (redline format)

Please see revised Pacific Valley Charter Academy Petition attached as a separate document. Notations to the revised petition were left in the document for ease of tracking changes to the original petition.

Binder Tab 3

CERTIFICATION OF COMPLIANCE WITH APPLICABLE LAW

California Code of Regulations, Title 5, Section 11967(b)(3)

A charter petition that has been previously denied by the governing board of a school district may be submitted to the county board of education or the State Board of Education. See Education Code Section 47605(j)(1). As per Education Code Section 47605(j)(5), the State Board of Education has adopted regulations implementing the provisions of Section 47605(j)(1). See Title 5, California Code of Regulations Section 11967 (5 CCR Section 11967).

5 CCR Section 11967 requires that a charter school petition that has been previously denied by a school district must be received by the County Board of Education not later than 180 calendar days after the denial. 5 CCR Section 11967(a). In addition, subdivision (b)(3) of Section 11967 requires the charter petitioner to provide a "signed certification stating that petitioner(s) will comply with all applicable law" when submitting the denied petition to the County Board of Education.

The following certification is submitted in compliance with 5 CCR Section 11967(b)(3).

Certification

By signing below, I certify as follows:

1. That I am the authorized representative, and that I am competent and qualified to certify to the facts herein;
2. That, as authorized representative, I have personal knowledge of the facts forming the basis of this certification;
3. That I make this certification for purposes of 5 CCR Section 11967(b)(3) only; and
4. That the charter petitioner(s) and the charter petition are in compliance with applicable law.

Name: Dr. Paul Keefer

Signature: 

Date: August 27, 2013

School Name: **Pacific Valley Charter Academy**

Binder Tab 4



LAW OFFICES OF YOUNG, MINNEY & CORR, LLP

SACRAMENTO ■ LOS ANGELES ■ SAN DIEGO

JANUARY 10, 2014

REPLY TO SACRAMENTO OFFICE

VIA: HAND DELIVERY

PAUL C. MINNEY

JAMES E. YOUNG

LISA A. CORR

JERRY W. SIMMONS

CHASTIN H. PIERMAN

Jay Speck, Solano County Superintendent of Schools
Solano County Office of Education
5100 Business Center Drive
Fairfield, CA 94534

***Re: Pacific Valley Charter Academy Charter Petition
Appeal to the Solano County Board of Education***

KIMBERLY RODRIGUEZ

ANDREA C. SEXTON

SARAH J. KOLLMAN

JANELLE A. RULEY

ANDREW G. MINNEY

MICHELLE A. LOPEZ

SARAH K. BANCROFT

MEGAN M. MOORE

RACHAEL A. BUCKMAN

KATHLEEN M. EBERT

DREW K. RYMER

BARBARA E. HAGBERG

MARVIN H. STROUD

Dear Mr. Speck:

The Pacific Valley Charter Academy (the “Charter School”) charter petition was submitted to the Vacaville Unified School District (the “District”) on March 7, 2013. On or about, April 25, 2013, the Charter School submitted a revised charter petition to the District to address minor technical changes requested by District staff and legal counsel. Following two time extensions that were mutually agreed upon by the Charter School and the District, the District Board voted to deny the petition on July 18, 2013.

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

1. Chartering Authority

Any text referring to the Vacaville Unified School District, VUSD, or the District as the chartering authority would be revised to read “Solano County Board of Education,” “Solano County Office of Education,” “SCBE,” “SCOE,” or the “County.”

2. Special Education

The Charter School shall operate as its own local educational agency (“LEA”) and is a member of the El Dorado County Charter Special Education Local Plan Area (“SELPA”). The Charter School has already been approved as an independent LEA member of the El Dorado County Charter SELPA at the request of the District.

OF COUNSEL

WILLIAM J. TRINKLE

Jay Speck

Re: Pacific Valley Charter Academy Charter Petition
Appeal to the Solano County Board of Education

January 10, 2014

Page 2 of 2

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

* * *

We look forward to working with the County Board and the Solano County Office of Education during consideration of the charter petition. Please feel free to contact me, or Dr. Paul Keefer, the lead petitioner (pkeef@heritagepeak.org; 866.992.9033) if you have any questions.

Sincerely,

LAW OFFICES OF

YOUNG, MINNEY & CORR, LLP



JERRY W. SIMMONS

ATTORNEY AT LAW