

**Virtual Preparatory Academy
at
Wheatland**

Serving Grades TK-12

Presented To

**Superintendent
Wheatland School District
111 Main Street, Wheatland
California, 95692**

October 28, 2019

Initial Term: July 1, 2020 through June 30, 2025

Lead Petitioner
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Table of Contents

Affirmations/Assurances.....	3
Introduction.....	6
Founding Group	9
Element 1: Educational Philosophy and Program	9
Elements 2 and 3: Measurable Student Outcomes and Methods of Measurement	43
Element 4: Governance Structure	53
Conflict of Interest under the Political Reform Act.....	59
Conflict of Interest under Government Code 1090.....	60
Common Law Doctrine Against Conflict of Interest	60
Incompatible Offices and Activities	61
Element 5: Employee Qualifications	64
Element 6: Health and Safety Procedures	69
Element 7: Racial and Ethnic Balance	72
Element 8: Admissions Requirements	73
Element 9: Independent Financial Audit	75
Element 10: Suspension/Expulsion Procedures	76
Element 11: Retirement Systems	94
Element 12: Public School Attendance Alternatives.....	95
Element 13: Employee Return Rights	96
Element 14: Dispute Resolution	97
Element 15: Closure Procedures	99
Miscellaneous Provisions.....	101
Liability Impact on The District.....	103
Conclusion	105
Appendices.....	106
Petition Signatures Teachers	107
Bylaws.....	109
Five Year Proposed Budget SB 740 Compliance.....	125

Affirmations/Assurances

As the authorized lead petitioner, I, Janet Balekian, hereby certify that the information submitted in this petition for a California public charter school to be named Virtual Preparatory Academy at Wheatland (Virtual Preparatory Academy at Wheatland or the “Charter School”), and to be authorized by the Wheatland School District (District) is true to the best of my knowledge and belief; I also certify that this petition does not constitute the conversion of a private school to the status of a public charter school; and further, I understand that if awarded a charter, the Charter School will follow any and all federal, state, and local laws and regulations that apply to the Charter School, including but not limited to:

- The Charter School shall meet all statewide standards and conduct the student 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)]
- Virtual Preparatory Academy at Wheatland 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)(6)]
- The Charter School shall be nonsectarian in its programs, admission policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]
- The Charter School shall not make determinations of admission according to the place of residence of the pupil, or of his or her parent or legal guardian except that the law requires admission to be restricted to the county of authorization and contiguous counties. [Ref. Education Code Section 47605(d)(1)]
- The Charter School shall not charge tuition. [Ref. Education Code Section 47605(d)(1)]
- The Charter School shall not discriminate on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(d)(1)]
- The Charter School shall 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. Except as required by Education Code Section 47605(d)(2), admission to the Charter School shall not be determined according to the place of residence of the student or his or her parents within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(d)(2)(B). In the event of a drawing, the chartering authority shall make

reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code Section 47605(d)(2)(C). [Ref. Education Code 3, Section 47605(d)(2)(A)-(C)]

- The Charter School shall admit all pupils who wish to attend the school. Special education students will not be excluded in accordance with Education Code Section 47605(d)(2)(B)(iii).
- The Charter School 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”).
- The Charter School shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to, credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]
- The Charter School shall ensure that teachers in the Charter School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. [Ref. California Education Code Section 47605(l)]
- The Charter School shall, at all times, maintain all necessary and appropriate insurance coverage.
- The Charter School shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D)
- If a pupil is expelled or leaves the Charter School without graduating or completing the school year for any reason, the Charter School shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or a report card, and health information. [Ref. California Education Code Section 47605(d)(3)]
- The Charter School shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. California Education Code Section 47612.5(a)]
- The Charter School shall on a regular basis consult with its parents and teachers regarding the Charter School's education programs. [Ref. California Education Code Section 47605(c)]
- The Charter School shall comply with any jurisdictional limitations to locations of its facilities. [Ref. California Education Code Sections 47605 and 47605.1]

- The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. California Education Code Sections 47612(b), 47610]
- The Charter School shall comply with all applicable portions of Every Student Succeeds 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 comply with all applicable Government Code prohibitions against conflicts of interest.
- The Charter School shall meet, or exceed, the legally required minimum number of school days. [Ref. Title 5 California Code of Regulations Section 11960]

Introduction

In 1992, the California State Legislature passed the Charter Schools Act, creating the vehicle for parents and educators to collaborate on innovative educational opportunities for children throughout the state of California. Pursuant to Education Code Section 47601, charter schools were created as a method to accomplish all of the following:

- Improve pupil learning
- Increase learning opportunities for all pupils with special emphasis on expanded learning opportunities for pupils who are identified as academically low achieving.
- Encourage the use of different and innovative teaching methods.
- Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.
- Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public-school system
- Hold the schools accountable for meeting measurable pupil outcomes and provide the schools with a method to change from rule-based to performance-based accountability systems.
- Provided vigorous competition within the public-school system to stimulate continual improvements in all public schools.

Virtual Preparatory Academy at Wheatland fully embraces the legislative intent of the Charter Schools Act and its mandate. The Charter School will provide students with a rigorous, college-preparatory education: one that couples the flexibility and individualized learning experience afforded by online instruction with a daily live class session designed to allow the students real-time interaction with their teacher and peer group and enable students to make connections in a larger context.

The Charter School will deliver excellence in education by:

- Hiring quality teachers for online instruction and providing them with extensive pre- and in-service professional development to ensure best practices are consistently applied across all subjects, grades and media. Proposed teaching staff has received intense training in online strategies for student success, both virtually via webinars, and in person during a carefully curated conference. Teaching staff has a proven track record of working with online students and ensuring students successfully complete coursework with a passing grade or higher. Former students have been accepted into 4-year colleges, such as UC Berkley. Teachers administered benchmark testing, such as the iReady, with both pre- and post-tests, showing marked improvement in over 80% of students, sometimes in as little as three or four months. CAASPP rates are not currently available.
- Committing to ensure that student to teacher ratios are in compliance with statute and low enough to ensure that students receive a high level of individualized support. To that end, the charter school intends to hire 10 teachers to support the 250 students who are projected to enroll during the course of the its first year of operation.

- The School will utilize an online model with existing online curriculum vendors successfully used by other accredited schools, such as StrongMind and Accelerate. Students receive a login for the site where they can access their online classrooms. Students regularly view videos, read materials, participate in asynchronous activities, and submit assignments through this portal. They can also view grades and detailed feedback from teachers.

Teachers have access to the teacher view, where they can accept assignments, grade them, and provide meaningful feedback in a timely manner. Teachers also hold live learning sessions several hours a week where students can log in via video conferencing (Zoom, Hangouts, Big Blue Button, Adobe Connect, for example) to engage in a live small group lesson with a credentialed teacher and peers. Students will also be able to receive assistance and support from teachers via one on one video sessions, phone, email, and text messaging. As such, this is personalized learning.

In the most recent research, online learning, with its flexibility for usage in both synchronous and asynchronous formats, has been shown to support personalized learning and student achievement (Soffer, Kahan, & Nachmias, 2019). Studies also show that students performed at least as well in online classes as their peers in traditional classes but were accessible to at-risk students who may otherwise not have taken the courses (Beemer, et al., 2018). All student groups benefit from these modalities of instruction/learning. English Learners who are classified as beginners or advanced showed improvement in achievement when using personalized online learning systems (Gyamfi & Sukseemuang, 2017). Some districts in various states are actually now requiring students to take some of their courses online in order to be better prepared for college and the workforce, as well as be 21st century learners.

References:

Beemer, J., Spoon, K., Fan, J., Stronach, J., Frazee, J. P., Bohonak, A. J., & Levine, R. A. (2018). Assessing Instructional Modalities: Individualized Treatment Effects for Personalized Learning. *Journal of Statistics Education*, 26(1), 31–39. Retrieved from <http://search.ebscohost.com/login.aspx?direct=true&AuthType=shib&db=eric&AN=EJ1175066&site=eds-live&scope=site>

Gyamfi, G., & Sukseemuang, P. (2017). EFL Learners' Perceptions, Practices and Achievement with the Online Learning Program "Tell Me More." *Contemporary Educational Technology*, 8(4), 338–358. Retrieved from <http://search.ebscohost.com/login.aspx?direct=true&AuthType=shib&db=eric&AN=EJ1157948&site=eds-live&scope=site>

Soffer, T., Kahan, T., & Nachmias, R. (2019). Patterns of Students' Utilization of Flexibility in Online Academic Courses and Their Relation to Course Achievement. *International Review of Research in Open & Distance Learning*, 20(3),

202–220. Retrieved from

<http://search.ebscohost.com/login.aspx?direct=true&AuthType=shib&db=eue&AN=137875975&site=eds-live&scope=site>

- Providing individualized learning opportunities for a wide range of students by tailoring programs to individuals' capabilities and needs – and offering an extensive selection of courses, including Advanced Placement Courses, for the high-school grades.
- Producing quality measurable outcomes in areas including, but not limited to: academic progress; student enrollment, attendance and retention; teacher professional development; and parent satisfaction.
- Operate as a K-12 charter school to serve students in Yuba County and adjacent counties.
- Complying with all State Education Code requirements.
- Virtual Preparatory Academy at Wheatland will apply for AdvancED accreditation when eligible to apply.
- Attached as in Appendices, the Charter School Teacher Approval Signature Page demonstrates that Charter School has highly qualified candidates who are meaningfully interested in teaching at the school.

Founding Group

The California State Board of Education, in its earlier Model Application for Charter Schools, stated that the founding group of a charter school should be able to present evidence that it and its members have the necessary background in the following areas:

- Curriculum, instruction and assessment;
- Finance, facilities and business management; and
- Organization, governance and administration.

The Founding Board is established as the initial entity to guide the application through the various stages of review and finally acceptance by the authorizer. The Governing Board of the Charter School, upon Charter approval, will transition to be the Charter School Board. The members below will be augmented by the addition of one (1) Board Member representing the interests of Wheatland School District, as required in statute. The following founding board members provide the background and necessary expertise in the above areas to ensure the success of the school application and initial implementation:

Janet Balekian:

Ms. Balekian, Lead Petitioner, is a professional educator and administrator with years of experience as a teacher, and administrator for public, private, and charter school systems. She taught in the public-school district before becoming an administrator of a private school. As an administrator, she was responsible for leading teachers, operations, fundraising and financial controls for a successful school.

Jack Pierce:

Mr. Pierce is a veteran educator with a career in education spanning over 35 years. Mr. Pierce has been a teacher, administrator, and District level supervisor. Mr. Pierce has extensive experience serving developmentally delayed students in a least restrictive environment setting. His professional education experience includes the supervision of the entire Career Technology Education (CTE) program for Los Angeles Unified School District (LAUSD) Senior High Schools. Mr. Pierce played a key role in the planning and execution of the Academic Decathlon program for LAUSD. Additionally, Mr. Pierce is an expert in Power School, student attendance accounting and CALPADS.

Element 1: Educational Philosophy and Program

Governing Law: A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an “educated person” in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners. --California Education Code Section 47605(b)(5)(A)(i).

A description, for the charter school, of annual goals, for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in

subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals. – California Education Code Section 47605(b)(5)(A)(ii).

If the proposed school will serve high school pupils, a description of the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the “A” to “G” admissions criteria may be considered to meet college entrance requirements. – California Education Code Section 47605(b)(5)(A)(iii).

Mission Statement

The Mission of Virtual Preparatory Academy at Wheatland is to provide K-12 students a rigorous online academic program designed to utilize the best aspects of both synchronous and asynchronous instruction, featuring world-class content and college preparatory skill building. Through compelling inquiry-based learning, Virtual Preparatory Academy at Wheatland will instill in student’s intellectual curiosity and a sense of their unique purpose and strengths.

Virtual Preparatory Academy at Wheatland model is built specifically to the online medium and incorporates audio, animation and images to keep students more interested and engaged. Students will have access to a unique NGSS supporting STEAM virtual makerspace that is not offered by other online programs. Additionally, specially curated web-based resources have already been collected and will continue to be collected by the staff to further enhance the curriculum to go above and beyond the typical vendor curriculum. It is designed to capitalize on the best opportunities that the online venue has to offer for both synchronous and asynchronous learning. It is capable of supporting the academic needs of a wide range of students, and it provides excellent support for English Learners by combining words and images, as well as audio and visual content.

Overall, Virtual Preparatory Academy at Wheatland envisions a learning experience that combines the best of online learning with its capacity for individualized self-paced instruction, featuring an innovative, interactive curriculum.

Educational Philosophy

Who the School is attempting to educate:

The Charter School will serve approximately 250 students in grades K-12 during the first year, with an anticipated growth to 600 students by year five. Our educational program is based on the instructional needs of our target student profile.

Our target student profile is not limited to any particular demographic. However, we expect student demographics to be consistent with the racial and ethnic demographics observed in the data from the Wheatland School District and the surrounding counties. Instead, the Charter School is designed and organized to serve students and families who have chosen an online classroom setting for any of the following reasons, or other reasons relevant to the individual:

- Individuals who are self-directed and choose a wider range of academic options.
- Students of all ability levels seeking additional academic and learning opportunities.
- Family relationships, personal beliefs and values, and families who prefer to school at home.
- Scheduling (i.e. sports, drama, extracurricular activities).
- High-risk/at-risk for successfully achieving high school graduation or equivalency.
- Health reasons prohibit them from attending normal classroom programs
- Students who wish to excel in the area of sports and related sport-oriented businesses
- Families who for various reasons do not have access to high quality TK and Kindergarten programs.

In education, one size does not fit all, and the Charter School is dedicated to providing students and families with an online learning environment that can meet individual students' unique needs. The goal of the Charter School is to create a school that enables all of its students to becoming self-motivated, competent, lifelong learners. Virtual Preparatory Academy at Wheatland provides a rich, rigor-filled, technology-focused, tuition-free public education, with accelerated pacing towards completion of a high school diploma with online curriculum content and classes— all day, every day, 24-7

Online education in particular is growing in importance. Usage of computers has become commonplace in all lines of work. Weak economic conditions and growing opportunities for telecommuting find more parents at home. Shortages of teachers, particularly in key subjects such as science and math, limit classroom-based learning opportunities.

Todd Hitchcock, Senior Vice President of Online Solutions, Pearson Learning Solutions, stated, "Learning is no longer limited to four walls – learning can happen anywhere – and it already is happening everywhere, every day. The growth of online learning underscores this need for quality, flexible education programs that meet the demands of our 21st-century workforce."

Frank Mayadas, Senior Advisor to the Alfred P. Sloan Foundation and founding President of the Sloan Consortium noted, "As in past years, the survey demonstrates the continuing robust growth in a wide range of institutions. It underscores the importance of online learning in higher education in the U.S. What a remarkable ten-year period the survey has captured."

Key report findings include:

- Over 6.7 million students were taking at least one online course during the fall 2011 term, an increase of 570,000 students over the previous year.
- Thirty-two percent of higher education students now take at least one course online.

- Only 2.6 percent of higher education institutions currently have a MOOC (Massive Open Online Course), another 9.4 percent report MOOCs are in the planning stages.
- Academic leaders remain unconvinced that MOOCs represent a sustainable method for offering online courses but do believe they provide an important means for institutions to learn about online pedagogy.
- Seventy-seven percent of academic leaders rate the learning outcomes in online education as the same or superior to those in face-to-face classes.
- The proportion of chief academic officers who believe their faculty accepts the value and legitimacy of online education has not increased – it now stands at only 30.2 percent.
- The proportion of chief academic leaders who say online learning is critical to their long-term strategy is at a new high of 69.1 percent.
- The perception of a majority of chief academic officers at all types of institutions is lower retention rates for online courses remain a barrier to the growth of online instruction.

As a public online charter school, the Virtual Preparatory Academy at Wheatland is open to all students in all grade levels from Wheatland School District, Yuba County, and adjacent counties.

How Learning Best Occurs

Learning best occurs when the teachers are well-prepared, best practices are employed, the students are engaged, and the lessons suit individual needs.

The Charter School’s educational approach features an innovative curriculum, a high degree of connectivity and personalized attention, intensive teacher training and inquiry-based student-centered learning. Its program focuses on practical application of knowledge and strong parent and community involvement with the Charter School. Through effective use of technology, it enables teachers to custom-tailor academic programs to students’ unique skills and interests – all aimed at optimizing our students’ learning experience. Virtual Preparatory Academy at Wheatland enables a personalized learning experience, tailor-made for each student.

Our students are given continuous opportunities to succeed through the cultivation of multiple intelligences and talents. The supportive environment, along with daily exposure to content-rich programs derived from research-based teaching methods that engage children at all levels, means our students will develop a life-long enthusiasm for learning.

Personalized instruction and continuous assessment are cornerstones of the Virtual Preparatory Academy at Wheatland model. The proposed Charter School staff will all have prior teaching experience at both brick and mortar schools and in online environments. Staff will have received teacher preparedness courses from their graduate programs but have also received numerous hours of in-services on online student engagement, boosting achievement in the online environment, SEL in the online environment, working with subgroups in the online environment, and many other topics. They will also receive many hours of professional development in both in person and online modalities. Along with participation in online professional learning communities’ staff will be trained in techniques of differentiated instruction, enabling them to identify students’ learning styles and to create learning activities compatible with the students’ needs. At the same time, the

Charter School will use varied assessments to enable students to demonstrate their understanding of concepts and skills. These assessments will also be used to develop further lessons that address individual student needs.

Virtual Preparatory Academy at Wheatland Professional Development Program design is based on needs as measured by surveys, interviews and observation; and the experience of the Virtual Preparatory Academy at Wheatland trained professional-development personnel, who remain up to date on new as well as tried-and-true teaching methods and strategies. At Virtual Preparatory Academy at Wheatland, more than a month of training will take place before the school year begins, and ongoing training will continue throughout the school year, based on detailed assessments of staff needs.

Virtual Preparatory Academy at Wheatland is continuously developing and updating teaching strategies through instructional reflections and by maintaining a finger on the pulse of new research. This includes a specific focus on developing best practices in teaching in an online environment. These teaching strategies ensure that students are given every opportunity to succeed and that the Professional Development program remains fresh and useful. The School provides a 1:1 groundbreaking tutorial that supports students with mentoring, and highly qualified teachers, coaches and mentors vested in your student's personal success.

Virtual Preparatory Academy at Wheatland opens portals of opportunity. Our "pillars," the tenets of our model, create openings that give each school its unique personality and customized attributes – its portals.

Each pillar of the Virtual Preparatory Academy at Wheatland educational approach stems from proven research and our team's years of experience in effective instructional and administrative practices. Some of the underlying research that supports our approach includes the following:

Teaching to Multiple Intelligences: Virtual Preparatory Academy at Wheatland recognizes different domains of ability, or "intelligences," as described by Dr. Howard Gardner.¹ Gardner's Theory of Multiple Intelligences provides a foundation for recognizing the different abilities and talents of students. This theory acknowledges that while all students may not be verbally or mathematically gifted, children are likely to have expertise in other areas, such as music, spatial relations, or interpersonal skills. Our program seeks to capitalize on children's various skills, experiences, and talents to provide them with multiple opportunities to learn and succeed.

For example:

- Visual spatial: Visual media, such as online videos and interactive web-based activities, help students acquire concrete concepts, such as drag and drop science activities and videos on Math concepts.
- Bodily - Kinesthetic: Students can submit a video project where they are able to act out the answer to a history research project or a science skill.

¹ Gardner, H. *The unschooled mind: how children think and how schools should teach* (1991); Gardner, H., & Hatch, T., *Multiple intelligences go to school: Educational implications of the theory of multiple intelligences* (1989) at 18(8), 4-9.

- Logical Mathematical - Students will have access to online calculators and will be able to work by themselves or with peers under the guidance of the teacher to engage in calculations in real time or asynchronously.
- Interpersonal - students will be able to interact with each other and with the instructor via live video conferencing and through in person meetups that will be scheduled.
- Musical - students will be able to showcase talents via open mic open house and can also be creative in courses by submitting an original song created to address a project or concept in class.

Reciprocal Teaching: Using reciprocal instruction, a teacher introduces a concept and then reinforces it by circling back to it in later lessons. The Virtual Preparatory Academy at Wheatland model is predicated on the balance between rigorous core courses in Language Arts, Mathematics, and Science and a Social Studies curriculum that applies basic core skills in a highly engaging manner, providing students with content knowledge rich in cultural literacy.

Differentiated Instruction: Differentiation is a teacher-driven effort to respond to variations among learners. Teachers can differentiate instruction in at least four areas: content, process, products/culminating projects, and learning environment. Virtual Preparatory Academy at Wheatland teachers are taught effective strategies for successfully tailoring all of these areas to individual student needs, ensuring that different learners are all given the best opportunity to succeed.

There is much evidence showing that students are more successful academically if they are taught in ways that match their readiness levels (e.g., Vygotsky, 1986), interests (e.g., Csikszentmihalyi, 1997) and learning profiles (e.g., Sternberg, Torff, & Grigorenko, 1998). Also, differentiating instruction is a key part of effective professional development. Expert teachers' pay attention to their students' varied learning needs (Danielson, 1996); "to differentiate instruction, then, is to become a more competent, creative, and professional educator."²

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

An educated person in the 21st century will be the product of the educational philosophy of "deep and broad" student-centered instruction. He/she has a mastery of basic skills and knowledge built on a rich range of content – knowledge that provides the foundation necessary to thrive in an increasingly interconnected world.

The educated person will be versed in the use of technology as a tool for communications, research, computations, analysis and a range of other purposes. He/she will have an understanding of National history and culture as well as a sense of the workings of the world and of his or her place in local, national and global communities.

The educated person will have been exposed to co-curricular areas such as music and art. He/she will have benefited from an educational experience designed to engender a strong sense of self and foster a love of learning.

² All references from Tomlinson, C. (2001). Differentiation of Instruction in the Elementary Grades. ERIC Digests.

The educated person will emerge from high school poised and prepared for success in the finest colleges and universities and beyond.

Curriculum

The Charter School's curriculum will meet California State Content Standards. The curriculum will develop a foundation of basic skills and cultivate higher-order thinking skills. It will be simultaneously rigorous, engaging and relevant to students. The Charter School's curriculum and instructional framework is guided by independent study learning models used nationwide. The Charter School's curriculum will comply with Common Core State Standards and will be designed to meet the accreditation standards of AdvancED as well.

Courses at the Charter School offer off-line content with textbooks from nationally recognized publishers. A sampling of instructional materials is included in the appendices. This model offers a rich learning environment in that it combines a vast amount of age-appropriate learning resources available from a variety of sources including print, electronic media, and real-world experiences. This method of delivery relies on providing quality learning opportunities and the Charter School instructional staff guiding individualized student learning to facilitate student progress. Student learning will include online instruction and activities, off-line (print-based) activities and assignments, instructional staff/student discussion boards, project-based learning assignments, group instruction, and opportunities for collaborative projects.

Courses are structured around objectives, content, and assessments. The Charter School's courses are designed to meet today's rigorous academic environment and Standards. The Charter School's courses follow an objective-based learning structure. Courses are structured to include reading assignments, activities, projects, written assignments, oral or multimedia presentations, collaborative opportunities, or problem-solving and application assignments. Students will utilize the available "Learning Guide" prepared by the course author to supplement textbook readings with: additional supporting instructional material regarding a particular concept; guidance as to "what to look for" during the reading assignment, and additional reference materials from the Internet or other sources to expand on the concepts presented in the readings, stories, and supplemental texts.

Additional activities (which will be graded or ungraded) in each course may include:

- Research Papers
- Journals and Story writing
- Discussion board activities (classroom participation grade)
- Practice quizzes at the end of most topics
- Projects (both independent and collaborative)
- Oral or multimedia presentations

The Charter School's full-year courses are designed to contain approximately 180 hours of course work to complete or the equivalent of one Carnegie Unit or one year of study. Our semester courses

are designed to deliver approximately 90 hours of course work to complete and are the equivalent of one-half of a Carnegie Unit, or a high school semester.

Courses are rich with multimedia to keep students engaged throughout their online experience. Most of the multimedia is built using Flash technology. All courses contain a variety of flash tutorials that include audio, text, language translation and video components that reinforce course content and are designed to address various learning styles. All of the courses are rich with engaging self-check and practice activities for students to self-assess their mastery of the course content. A variety of Flash-based games including flashcard activities, crossword puzzles, drag and drop/matching activities, as well as basic self-check quizzes are provided. These activities can be completed as many times as the student desires until they have mastered the learning objectives and skills. We offer animations to students to demonstrate a concept where appropriate. We have added avatars that both entertain and teach concepts using flash technology. Avatars are used to present dialogues in foreign language courses as well as instructional tutorials within core subjects.

This curriculum will be college-preparatory in nature and designed to bring out the best in each student it serves. In every case, it has the flexibility to be tailored through individualized assessment and instruction.

The Virtual Preparatory Academy at Wheatland intends to provide advanced learner options through its Honors and AP programs, and including partnership programs to offer opportunities for dual enrollment with community colleges and participating Universities, and the NCAA.

Grades K-8: Courses in the primary grades will focus on laying a solid educational foundation for our students. By being both rigorous and engaging, they will capture students' attention, foster a love of learning, and lay the groundwork for student success in high school and beyond. To accomplish this Virtual Preparatory Academy at Wheatland will utilize the best available online curriculum, including but not limited to, Pearson's award-winning online curriculum in order to best meet the needs of its students.

- English Language Arts: the ELA program at Virtual Preparatory Academy at Wheatland incorporates all five important building blocks of ELA development:
 - Phonemic Awareness
 - Phonics
 - Fluency
 - Vocabulary
 - Comprehension

It helps students to develop listening and speaking skills as well as reading and writing skills. It is designed to work effectively with students from the first steps of learning to read and write through learning to use reading and writing as tools for learning.

- Mathematics: our math curriculum builds essential skills while incorporating interesting challenges and puzzles. It is designed to continually build upon, reinforce and strengthen prior knowledge. The curriculum provides ample opportunity for students to apply ideas, tools and manipulatives in a real-world context.

- Science: Through our science programs, students explore topics through text and simple experiments; learn about grade level appropriate topics such as living and nonliving things, force and motion, light and sound, the solar system and the universe, electricity and matter, and scientific purpose; follow a lesson format in which they learn how to gather, organize, and interpret data and scientific information pertaining to concepts in the areas of physics, chemistry, biology, and earth science.
- ELD: The ELD curriculum uses a multimedia approach, including songs and animation, to help students gain fluency in English while at the same time advancing their math and ELA skills. Our online ELD program supports a variety of different first languages.
- Foreign Language: Students will begin foreign language studies at the Virtual Preparatory Academy at Wheatland starting in kindergarten. Spanish and French will be offered using an engaging format designed for teaching students to speak, listen, and read in these languages.
- Social Studies: Student will engage in a Social Studies curriculum that is engaging and multimedia rich. Students will have the opportunity to learn course content through a variety of styles and they will be able to demonstrate their learning in multiples ways.

Grades 9-12: In grades 9-12, our curriculum builds upon the foundation established in the early years. Courses will be provided to meet the core requirements for California. A variety of Advanced Placement courses will also be made available to Virtual Preparatory Academy at Wheatland 's students. Virtual Preparatory Academy at Wheatland will utilize the best available online curriculum, including, but not limited to, Pearson's award-winning online curriculum in order to best meet the needs of its students.

Subjects will include:

- English
- Mathematics
- Science
- History
- Social Studies
- Foreign Language (Spanish & French)
- Sponsored strength and conditioning, health and nutrition
- Personalized academic teacher and mentor support, graduation planning
- NCAA eligibility check ins

Our EL program for high school, as in the primary grades, is highly interactive, multimedia and reinforces other learning in mathematics and ELA as it builds English language fluency.

It is essential for college-bound students and student athletes that the courses that they take in high school are accredited, A-G approved and NCAA approved. Upon approval of its charter, Virtual Preparatory Academy at Wheatland will immediately begin the process of seeking accreditation

and NCAA approval and upon being awarded accreditation, Virtual Preparatory Academy at Wheatland will begin the process of submitting its courses for A-G approval. In the majority of content areas, A-G approval can be granted for courses that are 100% virtual. However, there are some courses, including lab-based sciences, that require an in-person component. To meet this requirement, Virtual Preparatory Academy at Wheatland will leverage its anticipated partnerships throughout the region to provide opportunities for students to attend in person lab sessions. This will include the opportunity to utilize the science lab located at a district school. Parents will be kept informed about course transferability in our handbook and online resources. We will be submitting to UC Scout/Doorways and the US site is available to enable the public to check for college admissions. Our counselors will also hold regularly scheduled informational webinars for parents and students to share this information.

The curriculum will be from Accelerate Education, a national developer and publisher of high-quality blended instruction and on-line educational programs.

From Accelerate Education:

Company

Founded in 2011, Accelerate Education is a leading provider of blended learning solutions for schools as well as an online course provider to individual students through the Accelerate Online Academy. Our curriculum is offered at the elementary school, middle school, and high school levels in original credit, adaptive credit recovery, and independent study formats. We also provide remediation and intervention through our IDEAL learning library, which houses more than 3,000 learning objects in all content areas.

Accelerate Education is a powerful, research-based, field tested K-12 personal learning solution that uses the Common Core Standards to structurally support personalized, blended learning. It is the mission of Accelerate Education to provide a broad, flexible, and engaging curriculum and instruction that uses best practices in education to bring success to all students.

Curriculum

The Accelerate Education Digital Curriculum is a comprehensive course offering that delivers a rich personalized learning experience for every student. Accelerate Education's core curriculum offers Math, English Language Arts, Science and Social Studies courses for grades K-12. Math and English Language Arts courses are aligned to Common Core Standards. Science courses are aligned to the Next Generation Science Standards. In addition to the core courses other courses are also offered. These courses use project-based lessons and authentic learning assignments that help students apply their learning to build higher level thinking and digital skills. Accelerate Education's courses have passed the most rigorous standards-based reviews, including the University of California's extensive UC A-G online course approval process, as well as being fully accredited by the AdvanceEd/Northwest Accreditation Commission.

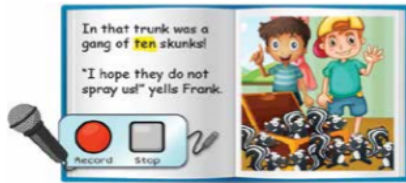
Each Accelerate Education course includes a wide range of learning activities, helping students create and use new knowledge in ways that go beyond simple content mastery. Each course is content rich, with learning resources such as online literature libraries and interactive, virtual

activities to reinforce concepts being taught. Formative and summative assessments allow students to demonstrate their developing competency and creativity in diverse ways.

The program is designed to meet the needs of all students. Differentiated instructional strategies are offered in our Teacher Guides. Resources for Gifted, SPED and ELL are included in our IDEAL Learning Library where teachers can assign curriculum from any grade level to each student or to a group of students.

The English Language Arts curriculum focuses on a balanced literacy program that is aligned to the Common Core Standards. Beginning in Kindergarten, a strong foundation for literacy is being built upon by using the following key components:

Read Aloud & Shared Reading



As students work through their daily lessons, they read aloud a weekly story that uses high-frequency sight words and introduces new vocabulary. Students listen to the story being read by an engaging reader who reads with expression and models fluency. They also read the story with their teacher or learning coach. To demonstrate their fluency, students record themselves reading the story and submit the recording to their teacher, who scores the recording with a rubric.

Independent Reading

Independent Reading Log

You may choose a book to read independently each week. The librarian at the local library can help you find appropriate books to read, or you can visit the website shown below.

<https://lexia.com/findabook/>

Weekly Reading Log Questions
Each week, you will be asked to answer the following questions about the book you read. Make sure you can answer these questions by the end of each week.

Fiction	Non-Fiction
1. Who was the main character? 2. Describe two events in the story that you liked. 3. What did the main character learn or do in the end?	1. What is it about? 2. Describe/explain three things that you learned.

Students' reading levels are assessed throughout the year and assigned "just right books" through our independent reading program. Students are also able to choose books on their own based on their reading level and with the guidance of a teacher or parent. Students are required to fill out a weekly reading log and answer comprehension questions related to the books they choose to read each week.

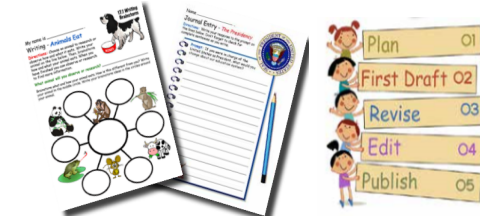
Whether reading independently or reading aloud, students experience a variety of reading materials, such as poetry, drama, fiction and non-fiction. Foundational reading materials include sight words and phonics.

Vocabulary



As research supports that students should encounter a new word multiple times in order to comprehend its meaning, students are exposed to several opportunities to interact with new vocabulary. Students are provided digital activities, such as interactive games, crossword puzzles, and worksheets to reinforce the acquisition of the new vocabulary.

Writing



Each academic year in their writing, students demonstrate increasing sophistication in all aspects of language use, from vocabulary and syntax to the development and organization of ideas. Students advancing through the grades are expected to meet each year's grade-specific standards and retain or further develop skills and understandings mastered in preceding grades.

Each week, students complete handwriting exercises that focus on either letter formation, sight words, vocabulary, spelling, or grammar. Several tools are available to students as they work through the various steps involved in the writing process, such as planning, drafting, revising, editing, and publishing. Both shared and independent writing opportunities are presented to the students.

Speaking and Listening

Communication is an essential skill in literacy and our students are required to demonstrate their mastery of the English language by speaking and listening. Students must be able to organize and develop presentations that support their findings with evidence so that listeners can follow their line of reasoning. Students are required to use digital media to express information and enhance understanding of presentations.

Students complete a story retell, which reinforces their comprehension skills, but also requires them to organize and develop their thoughts. Students listen to various audio recordings from spelling words to phrases and sentences to full stories. Students also meet with their teacher regularly, where they demonstrate their acquired knowledge.

As students' progress by grade level in language arts the emphasis on Writing, Vocabulary, Speaking and Listening and reading comprehension continues. While independent reading is still encouraged the concept of novel studies start in Fourth Grade and carry on through high school Language Arts courses.

Instructional Design

Our curriculum is designed with the intent to

- Challenge students through rigorous content
- Inspire students to become engaged in the learning process through varied assessments which include authentic assignments.

- Require students to apply skills in increasingly complex ways as they make their way through our courses.

Each course is designed using the iNACOL national standards for online courses. A rubric based on these standards is used to evaluate the efficacy of a course and ensure that each course meets the standards. Here is a link to the INACOL Standards for online courses

<https://www.inacol.org/wp-content/uploads/2015/02/national-standards-for-quality-online-courses-v2.pdf>

The process for developing an online course begins with the creation of a curriculum map, where the standards are unpacked. Objectives are written and grouped into modules, with a basic outline of authentic assignments and multimedia needs.

Once a curriculum map is in place for a course, learning objects are created for each module in a course. The International Association for K-12 Online Learning (iNACOL) defines a learning object as an electronic media resource (a digital file or collection of files) targeting a lesson objective, standard, or concept, in a way that can be used and reused for instructional purposes. A learning object may include one type of file or many, one activity or several, but everything within the learning object is included to produce a better understanding of one or more learning objectives. A learning object is essentially a lesson within a module.

Each learning object is created to include:

- A presentation of facts and concepts delivered as instructional text and imagery, meant to capture the attention of the student, access prior knowledge and help them learn the concept.
- A video or animation, or an interactive experience to reinforce and practice what is being taught and deepen the knowledge of the student. (A Research project by Teachers College at Columbia University, 1992 shows that students who are exposed to regular integration of media into instruction: Outperform non-exposed peers on tests, score higher on writing assignments, Are more active in class discussions, Apply more varied and creative approaches to problem solving, Use more figurative language, Practice activities)
- Assessment with questions focused narrowly on the learning object's identified instructional objectives. Assessment questions are written to follow *Bloom's Taxonomy and Webb's Depth of Knowledge*.
- Learning objects can also include an offline practice activity or project.

Accelerate Education Digital Platform

Accelerate Education Digital Platform is an innovative platform that includes standards-based tools and research-based content, giving you complete control over your personalized learning environment.

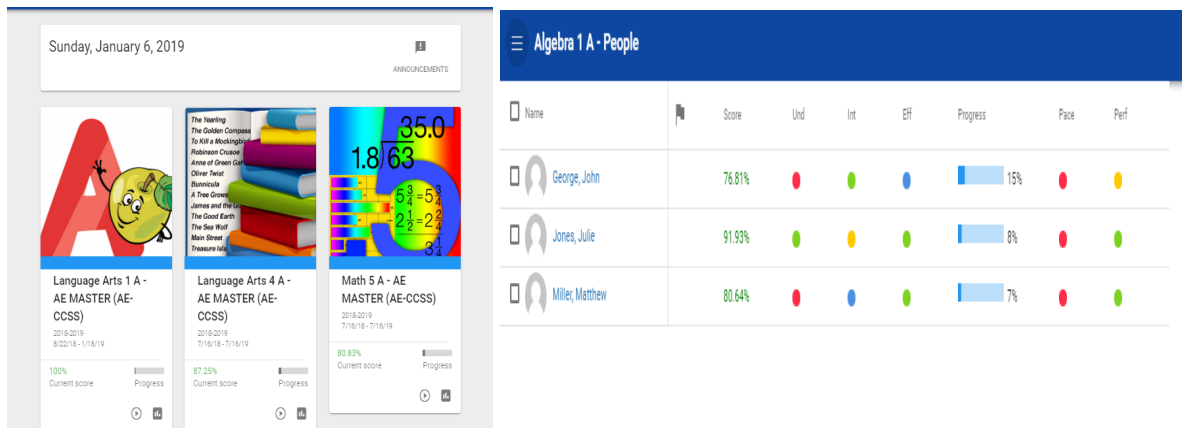
The platform features powerful administrative tools, including:

- Ongoing, real-time monitoring tools and dashboards
- Communication and collaboration tools
- Grading and feedback tools

- Continuous data collection and standards-aligned reporting tools
- Powerful curriculum customization tools

The platform makes it easy to customize and adapt the curriculum, by adding, removing, reordering, editing, and building with the curriculum found in the system. Teachers can build student learning pathways using open educational resources, licensed content, or district-created content.

Powerful dashboards support students, teachers, administrators, and parents in the personalized learning environment. These graphical menus and interfaces give users quick access to information such as usage statistics, curriculum maps, progress and mastery, grades, messages, help resources, and more.



The Platform provides a multilayered assessment system, a constant data stream, and powerful grading and reporting capabilities, giving teachers the precise data, they need to provide individualized, targeted instruction.

The Charter School will be using eDynamic Learning as the curriculum of choice for CTE and additional senior high school electives. Many of which currently have A-G approval.

Instructional Materials

At Virtual Preparatory Academy at Wheatland, we will make the most of our online medium. Our goal is that our students will actually do the vast majority of their learning online. This will be facilitated by a rigorous, content-rich curriculum combined with synchronous and asynchronous teacher communication and feedback.

All content for the core areas of math, science, English/Language Arts and Social Studies will be presented through a combination of vendor-created and teacher-created materials.

The Charter School’s online learning will be available via password-permitted online access. This will require that students have use of a computer with high-speed Internet access. The Charter School will develop a policy that will allow for the loan of laptops and subsidized high-speed Internet access to all students who demonstrate need, regardless of a student’s free and reduced lunch status, for the time that they are enrolled. This policy will be shared with the District upon completion and approved by the District before it is implemented.

In addition to a computer, students will need a headset for synchronous learning and for listening to lessons. Teachers will need stylus software to write on the virtual whiteboard and depending upon the curriculum selected, students may as well. These items will be provided to students as needed.

Why Virtual Preparatory Academy at Wheatland?

- Virtual Preparatory Academy at Wheatland provides dual enrollment options, in both virtual, and blended formats, providing access to some of the premier universities & colleges in the United States.
- Virtual Preparatory Academy at Wheatland provides access to high quality TK and Kindergarten programs to families who may not have the same opportunities in the neighborhood community.
- Virtual Preparatory Academy at Wheatland enables a personalized learning experience, tailor-made for each student. This experience is enriched with a diverse range of clubs, student organizations and extra-curricular activities provided by the host University/College.
- Virtual Preparatory Academy at Wheatland ensures freedom and flexibility in online learning, live and self-directed instruction, paired with a rich level of mentor, counselor and teacher support, underpinned by the tutorial system.
- Virtual Preparatory Academy at Wheatland ’s tutorial system provides a 1:1 groundbreaking student tutorial in both a virtual and live/onsite format ensuring students have a bespoke program tailor made to their learning needs and goals
- Virtual Preparatory Academy at Wheatland values parents’ central role as learning coaches, working with teachers to sustain student achievement.
- Students take College/University-level classes which count for both high school and College/University credit. Once four classes have been successfully passed, students are automatically admitted to the College/University.
- Themed field trips and seminars to events that include Apple, Google, TED, JPL, Griffith Observatory, NASA space camp, and participate in field trips and enrichment activities,
- Summer internships at affiliated corporate partners provide pathways and valuable work experience for students.

Annual Goals in the State Priorities

CHARTER SCHOOL ANNUAL GOALS AND ACTIONS TO ACHIEVE STATE PRIORITIES	
State Priority #1. The degree to which teachers are appropriately assigned (E.C. §44258.9) and fully credentialed, and every pupil has sufficient access to standards-aligned instructional materials (E.C. § 60119), and school facilities are maintained in good repair (E.C. §17002(d))	
ANNUAL GOALS TO ACHIEVE PRIORITY #1	ACTIONS TO ACHIEVE ANNUAL GOALS
<ul style="list-style-type: none"> ● Virtual Preparatory Academy at Wheatland will hire and maintain a highly qualified faculty. 	<ul style="list-style-type: none"> ● All candidates will undergo a rigorous hiring process, which includes paper screening, interviews, performance tasks, curricular and

<ul style="list-style-type: none"> Virtual Preparatory Academy at Wheatland will obtain the most up-to-date standards aligned instructional materials that will prepare students for college and career. 	<p>teaching materials review, teaching demonstration, and reference checks.</p> <ul style="list-style-type: none"> Faculty will have professional development, based on Individualized Professional Development Plan (IPDP) and the needs of students based on data. School leaders and faculty will research and obtain the most up-to-date standards-aligned materials and participate in a yearly updating process. Annual community survey. Faculty participates in shared decision-making process.
<p>State Priority #2. Implementation of Common Core State Standards, including how EL students will be enabled to gain academic content knowledge and English language proficiency</p>	
<p>ANNUAL GOALS TO ACHIEVE PRIORITY #2</p>	<p>ACTIONS TO ACHIEVE ANNUAL GOALS</p>
<ul style="list-style-type: none"> All Virtual Preparatory Academy at Wheatland of curriculum will be aligned to CCSS. All Virtual Preparatory Academy at Wheatland curriculums will be designed to support ELs and other struggling subgroups. 	<ul style="list-style-type: none"> Curriculum maps for each course written prior to school opening and revisited yearly. All curriculum maps will have goals and strategies to support ELs. Professional development, which includes dedicated days for implementing Common Core, and supporting ELs and other struggling students.
<p>State Priority #3. Parental involvement, including efforts to seek parent input for making decisions for schools, and how the school will promote parent participation</p>	
<p>ANNUAL GOALS TO ACHIEVE PRIORITY #3</p>	<p>ACTIONS TO ACHIEVE ANNUAL GOALS</p>
<ul style="list-style-type: none"> Parents view themselves as a key component of the schools' and student success. Parents demonstrate high satisfaction with the school's program. 	<ul style="list-style-type: none"> Published list of differentiated opportunities for parental involvement. Regular, designated times for parents to give feedback to school leadership (meetings, coffee hours, etc.). Annual community survey.
<p>State Priority #4. Pupil achievement, as measured by all of the following, as applicable:</p> <ul style="list-style-type: none"> A. Statewide assessments (CAASPP, or any subsequent assessment as certified by SBE) B. The Academic Performance Index (API) C. Percentage of pupils who have successfully completed courses that satisfy UC/CSU entrance requirements, or career technical education D. Percentage of ELs who make progress toward English language proficiency as measured by the ELPAC E. EL reclassification rate F. Percentage of pupils who have passed an AP exam with a score of 3 or higher 	

G. Percentage of pupils who participate in and demonstrate college preparedness pursuant to the Early Assessment Program (E.C. §99300 <i>et seq.</i>) or any subsequent assessment of college preparedness	
ANNUAL GOALS TO ACHIEVE PRIORITY #4	ACTIONS TO ACHIEVE ANNUAL GOALS
<ul style="list-style-type: none"> ● All students will become proficient in English, math, science and social science. ● Students perform well on all external tests. ● Students show growth on benchmark assessments. ● All students show growth on external measures. ● Yearly review of CAASPP scores to retool the instructional outcomes as needed. ● Collection of individual academic growth and student group growth each school year. ● Parent conferences to evaluate student academic growth and identify curricular areas of needed improvement. 	<ul style="list-style-type: none"> ● Standards based and aligned curriculum. ● Regular benchmark assessments (minimum 3x per year) aligned to standards ● Extensive student support structures (remediation courses, office hours, tutoring, differentiated instruction) ● Rigorous graduation requirements (beyond UC A-G) ● Curriculum maps designed to support ELs and struggling students ● Extensive professional development, specifically to analyze results of and create action plans for benchmark assessments and to support struggling students and subgroups.
<p>State Priority #5. Pupil engagement, as measured by all of the following, as applicable:</p> <ul style="list-style-type: none"> A. School attendance rates B. Chronic absenteeism rates C. Middle school dropout rates (EC §52052.1(a)(3)) D. High school dropout rates E. High school graduation rates 	
ANNUAL GOALS TO ACHIEVE PRIORITY #5	ACTIONS TO ACHIEVE ANNUAL GOALS
<ul style="list-style-type: none"> ● Students attend school regularly, consistently and on time. 	<ul style="list-style-type: none"> ● Advisory System and course to support students. ● Social-Emotional learning in all courses. ● Personalized Student Achievement Plans (PSAPs) ● Extensive support structures, including early intervention plans. ● Extensive community building via orientation and weekly Advisement meetings.
<p>State Priority #6. School climate, as measured by all of the following, as applicable:</p> <ul style="list-style-type: none"> A. Pupil suspension rates B. Pupil expulsion rates C. Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness 	
ANNUAL GOALS TO ACHIEVE PRIORITY #6	ACTIONS TO ACHIEVE ANNUAL GOALS
<p>Goal 1: Pupil suspension rates will be less than 3% annually.</p>	<ul style="list-style-type: none"> ● Extensive community building via orientation and weekly Advisement meetings as well as other school events.

<p>Goal 2: Pupil expulsion rates will be less than 1% annually.</p> <p>Goal 3: Virtual Preparatory Academy at Wheatland will annually survey students, parents, and teachers about online school safety and connectedness.</p>	<ul style="list-style-type: none"> ● Social-Emotional Learning in all courses. ● Personalized Student Achievement Plans (PSAPs). ● Analysis of and action plans from community surveys.
<p>State Priority #7. The extent to which pupils have access to, and are enrolled in, a broad course of study, including programs and services developed and provided to unduplicated students (classified as EL, FRPM-eligible, or foster youth; E.C. §42238.02) and students with exceptional needs.</p> <p>“Broad course of study” includes the following, as applicable:</p> <p><u>Grades 1-6:</u> English, mathematics, social sciences, science, visual and performing arts, health, physical education, and other as prescribed by the governing board. (E.C. §51210)</p> <p><u>Grades 7-12:</u> English, social sciences, foreign language(s), physical education, science, mathematics, visual and performing arts, applied arts, and career technical education. (E.C. §51220(a)-(i))</p>	
<p>ANNUAL GOALS TO ACHIEVE PRIORITY #7</p>	<p>ACTIONS TO ACHIEVE ANNUAL GOALS</p>
<ul style="list-style-type: none"> ● 100% of students are enrolled in a broad course of study, including graduation requirements that exceed UC A-G. 	<ul style="list-style-type: none"> ● Rigorous graduation requirements that exceed A-G. ● Extensive Support Systems (advisory, tutoring, office hours, remedial courses, etc.). ● Comprehensive college admission process and program.
<p>State Priority #8. Pupil outcomes, if available, in the subject areas described above in #7, as applicable.</p>	
<p>ANNUAL GOALS TO ACHIEVE PRIORITY #8</p>	<p>ACTIONS TO ACHIEVE ANNUAL GOALS</p>
<p>Goal 1: All students will become proficient readers and writers of the English Language.</p> <p>Goal 2: All students will become proficient in mathematical skills and content.</p> <p>Goal 3: All students will become proficient in science concepts and scientific thinking.</p> <p>Goal 4: All students will become proficient in social science practice and content.</p>	<ul style="list-style-type: none"> ● Standards based and aligned curriculum maps. ● Regular benchmark assessments (minimum 3x per year) aligned to standards. ● Extensive student support structures (remediation courses, office hours, tutoring, and differentiated instruction). ● Rigorous graduation requirements (beyond UC A-G). ● Curriculum maps designed to support ELs and struggling students. ● Extensive professional development, specifically to analyze results of and create action plans for benchmark assessments and to support struggling students and subgroups.

Plan for Students Who are Academically Low Achieving

The gap in achievement between students from different socioeconomic and racial/ethnic backgrounds is one of the most persistent challenges facing educators, a challenge that has become increasingly imperative for schools to conquer as they struggle to meet goals. The Response to Intervention (RTI) model is used as a vehicle for closing the achievement gap between different subgroups of students. The RTI model identifies three distinct tiers of service delivery. The majority of students' will need only Tier 1 services, the least expansive and most broadly available options for serving needs. A smaller percentage of people, however, will need more specialized assistance, or greater "dosages" of intervention; Tier 2. The third tier is reserved for those students who need the most intense assistance.

The success of this intervention model hinges on teachers' and administrators' ability to keep as many students in the primary and secondary intervention as possible, thereby concentrating resources on those students most in need of intensive aid, those in Tier 3. In applying the RTI model on a school-wide basis, schools are expected to change the allocation of resources and re-engineer their design and delivery of instruction in keeping with the tenets of the three-tier approach. Such reallocation of resources is projected to boost the academic performance of all students, not just those undergoing screening for possible entry into special education programs. This model is applied at Virtual Preparatory Academy at Wheatland through the following methods:

Screening: Placement tests, used in conjunction with any other assessment portfolio information we have on the student and placement according to that screening (of course, we never use a single data point – and this does not apply to certain populations, such as students with IEPs or EL).

Progress Monitoring: Virtual Preparatory Academy at Wheatland will use the Performance Series from Scantron to monitor students' progress against national standards quarterly. In addition, teachers will use iReady Benchmark assessments to monitor progress on specific strands via curriculum-based measures (weekly, on average). Students with IEPs have goals and objectives with skills that are directly linked to standards and benchmarks, and weekly probes are taken to progress monitor students toward the annual goals and objectives.

Intervention: In Tier 1, all students in the class receive differentiated instruction from the teacher. In Tier 2, the student who is struggling or identified as at-risk, works with intervention programs or groups to fill in gaps in learning. The student still receives instruction from the classroom teacher that is supported by the intervention programs. In Tier 3, students who are still struggling while receiving intervention from the teacher and intervention programs begin the Intervention Assistance Team process.

By not tracking students academically, we avoid labeling and lowering expectations for some students at a young age; the philosophy of the Charter School is that all students work on an equal playing field, with systems in place that foster an individualized-learning pace, with high, yet appropriate, expectations for all. The long-term relationships students and families build with

school staff will help identify and nurture students who might otherwise slip through the cracks in a more institutional school environment. If students are not progressing appropriately, even with differentiated instruction and informal strategies, the Charter School and parent will continue to work together to refine strategies for success, including potential referral to the Student Support Team for more formal levels of support and intervention.

Virtual Preparatory Academy at Wheatland has a no social promotion policy, which means that we use various assessments to determine the appropriate grade level of a student. Specific performance goals will be established once baseline data is available. The diagnostic and prescriptive nature of online learning enables Virtual Preparatory Academy at Wheatland to custom-tailor curricular materials to individual student needs and monitor their progress. The program generates instructional assignments to promote proficiency in areas of weakness.

Plan for Students Who are Academically High Achieving

The online format allows for a high degree of differentiation and use of the multiple intelligences such that a student's unique talents and gifts are accentuated through implementation of this curriculum.

A student identified as academically high achieving is easily afforded the opportunity for enrichment and acceleration in the flexibility offered through this curriculum. In fact, philosophically, all students at the Charter School will essentially be treated as academically high-achieving students - they will benefit from Personalized Student Achievement Plans and will be guided in a learning experience designed to build strong fundamentals in an enriching, challenging context.

Lessons will feature an "Above and beyond" segment that provides supplementary materials and suggestions for further study, allowing a continuum of learning possibilities. Teachers will guide students to the appropriate materials based on their Personalized Student Achievement Plans and goals and will help students challenge themselves and exceed their goals at every step.

The curriculum offers the flexibility for students to work beyond grade level. Coursework includes numerous Advanced Placement options for advanced high school students.

Plan for English Learners

Overview

The Charter School will meet all applicable legal requirements for English Learners ("EL") as it pertains to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, reclassification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirement. The Charter School will implement strategies for serving English Learners which are research based, supported by Charter School resources, and evaluated annually for effectiveness.

Home Language Survey

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

ELPAC Testing

All students who indicate that their home language is other than English will be ELPAC tested within thirty days of initial enrollment³ and at least annually thereafter between July 1 and October 31st until re-designated as fluent English proficient.

The Charter School will notify all parents of its responsibility for ELPAC testing and of ELPAC results within thirty days of receiving results from publisher. The ELPAC shall be used to fulfill the requirements under Every Student Succeeds Act for annual English proficiency testing.

English Learner Instructional Strategies and Curriculum

A specific EL component is included the curriculum offered by Virtual Preparatory Academy at Wheatland. This highly interactive, multimedia coursework is designed to incorporate learning in mathematics and science even as it assists students in developing fluency in English.

Interactive lessons strengthen reading, listening, speaking, and writing skills. Constant feedback and assessment ensure that students get the differentiated instruction they need. This curriculum supports students with a variety of first languages.

All teachers instructing English Learners will hold a CLAD credential or a California Commission on Teacher Credentialing ("CCTC") equivalent.

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 ELPAC,
- 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

³ The thirty-day requirement applies to students who are entering a California public school for the first time or for students who have not yet been ELPAC tested. All other students who have indicated a home language other than English will continue with annual ELPAC testing from their prior school of enrollment.

of parents or guardians in the Charter School’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 others 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.

Monitoring and Evaluation of Program Effectiveness

The evaluation for the program effectiveness for ELs in the Charter School will include:

- Adhere to Charter School-adopted academic benchmarks by language proficiency level and years in program to determine adequate yearly progress.
- Monitoring of teacher qualifications and the use of appropriate instructional strategies based on program design.
- Monitoring of student identification and placement.
- Monitoring of parental program choice options.
- Monitoring of availability of adequate resources.

Plan for Serving Students with Disabilities

Overview

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

The Charter School will be its own local educational agency (“LEA”) and will apply directly for membership in a Special Education Local Plan Area (“SELPA”) in conformity with Education Code Section 47641(a). Currently, we are anticipating use of the El Dorado County SELPA due to historically successful experiences partnering on professional development, in service, and educational services & resources.

In the event the Charter School seeks membership in a different state-approved SELPA, the Charter School will provide notice to the District, the SELPA, and the California Department of Education before June 30th of the year before services are to commence.

The Charter School shall comply with all state and federal laws related to the provision of special education instruction and related services and all SELPA policies and procedures; and shall utilize appropriate SELPA forms.

The Charter School may request related services (e.g. Speech, Occupational Therapy, Adapted P.E., Nursing, and Transportation) from the SELPA, subject to SELPA approval and availability. The Charter School may also provide related services by hiring credentialed or licensed providers through private agencies or independent contractors.

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.

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 SELPA. A copy of the MOU will be presented to the District upon execution.

The Charter School intends to provide special education instruction and related services in accordance with the IDEIA, Education Code requirements, and applicable policies and practices of the SELPA.

The Charter School will provide services for special education students enrolled in the Charter School. The Charter School will follow SELPA policies and procedures and shall utilize SELPA forms in seeking out and identifying and serving students who may qualify for special education programs and services and for responding to record requests and parent complaints and maintaining the confidentiality of pupil records.

The Charter School agrees to promptly respond to all District or SELPA inquiries, to comply with reasonable District or SELPA directives, and to allow the District or SELPA access to Charter School students, staff, facilities, equipment and records as required to fulfill all District obligations under this Agreement or imposed by law.

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 the California Education Code and the IDEIA. Charter School staff shall participate in District or SELPA in-service training relating to special education.

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 or contracted by the Charter School is qualified pursuant to SELPA policies, as well as meet all legal requirements. The Charter School shall be responsible for the hiring, training, and employment of itinerant staff necessary to provide special education services to Charter School students, including, without limitation, speech therapists, occupational therapists, behavioral therapists, and psychologists.

Notification and Coordination

The Charter School shall follow SELPA policies as they apply to all SELPA schools for responding to implementation of special education services. The Charter School will adopt and implement policies relating to all special education issues and referrals.

Identification and Referral

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

The Charter School will follow SELPA 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 obtain parent/guardian consent to assess Charter School students.

IEP Meetings

The Charter School shall arrange and notice the necessary IEP meetings. IEP team membership shall be in compliance with state and federal law. The Charter School shall be responsible for having the following individuals in attendance at the IEP meetings: the Principal (“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 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 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, procedures and requirements of the SELPA and State and Federal law.

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

IEP Implementation

The Charter School shall be responsible for all school-site implementation of the IEP. As part of this responsibility, the Charter School shall provide 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 exchange. The Charter School shall also be responsible for providing all curriculum, classroom materials, classroom modifications, and assistive technology.

Interim and Initial Placements of New Charter School Students

The Charter School shall comply with Education Code Section 56325 with regard to students transferring into the Charter School within the academic school year. In accordance with Education Code Section 56325(a)(1), for students who enroll in the Charter School from another school district within the State, but outside of the SELPA with a current IEP within the same academic year, the Charter School shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved IEP, in consultation with the parent, for a period not to exceed thirty (30) days, by which time Charter School shall adopt the previously approved IEP or shall develop, adopt, and implement a new IEP that is consistent with federal and state law.

In accordance with Education Code Section 56325(a)(2), in the case of an individual with exceptional needs who has an IEP and transfers into the Charter School from a district-operated program under the same special education local plan area of the Charter School within the same academic year, the Charter School shall continue, without delay, to provide services comparable

to those described in the existing approved IEP, unless the parent and the Charter School agree to develop, adopt, and implement a new IEP that is consistent with federal and state law.

For students transferring to the Charter School with an IEP from outside of California during the same academic year, the Charter School shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved IEP in consultation with the parents, until the Charter School conducts an assessment pursuant to paragraph (1) of subsection (a) of Section 1414 of Title 20 of the United States Code, if determined to be necessary by the Charter School, and develops a new IEP, if appropriate that is consistent with federal and state law.

Non-Public Placements/Non-Public Agencies

The Charter School shall be solely responsible for selecting, contracting with, and overseeing all non-public schools and non-public agencies used to serve special education students.

Non-discrimination

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

Parent/Guardian Concerns and Complaints

The Charter School shall adopt policies 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.

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.

SELPA Representation

The Charter School understands that it shall represent itself at all SELPA meetings.

Funding

The Charter School understands that it will be subject to the allocation plan of the SELPA.

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 that 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 of the Charter School and shall include parents/guardians, the student (where appropriate), and other qualified persons knowledgeable about the student, 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 who 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:

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

The final determination of whether the student will or will not be identified as a person with a disability is made by the 504 team in writing and 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 special education assessment will be made by the 504 team.

If the student is found by the 504 team to have a disability under Section 504, the 504 team shall be responsible for determining what, if any, accommodations or services are needed to ensure that the student receives 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 modification 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 regularly to determine the appropriateness of the Plan, continued eligibility or readiness to discontinue the 504 Plan.

Notification to Parents Regarding Transferability of Courses to other Public High Schools and the Eligibility of Courses to Meet College Entrance Requirements.

Virtual Preparatory Academy at Wheatland will be accredited by “Cognia” formerly AdvancED.

The Charter School will inform parents of course transferability through the publication and distribution of a parent/student handbook that includes specific information on course transferability to other public schools and that outlines school policies and expectations for all students and parents. Courses that meet University of California and California State University entrance requirements will be listed in the parent/student handbook as soon as available. All incoming students and parents will be required to complete an orientation that will include a review of the handbook. In addition to the A-G UC/CSU approved course list that will be included in the handbook, a statement regarding the transferability of courses to other public high schools will be included. Both the A-G list and transferability of classes will be updated on an annual basis. A state-certified high school diploma will be issued to all students who meet the Charter School’s graduation requirements:

Graduation Requirements

Course	Course Length	Credits
English	4 years	40
Mathematics <ul style="list-style-type: none"> ➤ Algebra I ➤ Geometry ➤ One additional advanced level math, two preferred 	3 years	30
Social Studies <ul style="list-style-type: none"> ➤ World History ➤ U.S. History ➤ One Semester Economics ➤ One Semester U.S. Government 	3 years	30

Science ➤ Biology ➤ Physical Science	2 years	20
Foreign Language ➤ Two consecutive semesters of same foreign language ➤ Two years preferred but not required for graduation	2 years	20
Visual and Performing Arts	1 year	10
Physical Education	2 years	20
Health Education	1 Semester	5
College Preparation Elective	1 year	10
Electives	2.5 years	25
Total Credits		210

The school's focus ensures graduation with 100% transfer of existing high school credits, freedom and flexibility in placement of courses, teacher-lead direct instruction and self-directed independent instruction, paired with a rich level of mentor, counselor and teacher support.

Attendance Guidelines

The Charter School offers a greater number of instructional minutes than set forth in Education Code Section 47612.5(a) for the appropriate grade levels and operates at least for the required minimum of 175 days. The Charter School expects that students will engage in educational activities assigned by the Charter School on all school days unless ill and documented by a physician's note. The Charter School maintains written records that contemporaneously document all student attendance and make these records available for audit and inspection.

Students are expected to log in daily to the learning environment and actively participate in their courses. With the exception of scheduled (live) sessions, a student may plan his/her daily schedule to best suit his/her needs and learning style. On average, Virtual Preparatory Academy at Wheatland students have an extended school day and should plan to spend 6.5 to 7 hours per day working in their classes. Below is an outline of the amount of time students can expect to work in each subject each day. The total time may be spent in live class sessions and/or working independently. Teachers will suggest daily guidelines on assignments.

Grades K-5

- Language Arts – 120 minutes
- Math – 90 minutes
- Science – 60 minutes
- Social Studies – 60 minutes
- Electives – 30 minutes each week
- Physical Education – (varies)

Grades 6-8

- Language Arts – 60 minutes
- Math – 60 minutes
- Science – 60 minutes
- Social Studies – 60 minutes
- Electives – 60 minutes
- Physical Education – 60 minutes

Grades 9-12

- Language Arts – 60 minutes
- Math – 60 minutes
- Science – 60 minutes
- Social Studies – 60 minutes
- Class 5 – 60 minutes
- Class 6 – 60 minutes

A Sample Of Daily Student Activity:

The Charter School is founded on the principle of personalized learning and therefore a typical day varies with the modifications in curricular activities designed by the teacher in concert with the parent or guardian for those students under the age of 18 years. There are basic activities that occur each instructional day for all students as outlined below. The primary effort is to construct a learning plan that best meets the needs of the student and provides sufficient scaffolding of academic skill development to prepare the student for the next level of education and, in the case of senior high students, readies them for post high school education or entry into the economy. The Charter School's goal of developing independent learners spans the entire grade level spectrum. The natural flow of independent learner development follows three benchmarked and measurable developmental steps. The steps are: (1) Early Elementary Grades organized to promote dependent learning based on extensive support of the teacher and learning coach in an environment of richness of exploration and student success oriented interactive activities provided by the curriculum, technology interaction +/- 20 minutes per day maximum, teacher and learning coach; (2) Upper Elementary Grades organized to promote acquisition of academic skills and the application of those skills in developing higher order thinking skills enriched with activities that develop and promote the use of independent learning through research, reading and writing, basic and advanced numeracy, provided by the teacher and technology interaction +/- 90 minutes per day maximum; (3) Middle School organized to develop and promote exploration through independent problem solving, self-recognition of deficiencies in academic preparation, motivation to learn, and enhanced use of technology applications and solutions leading to higher levels of academic achievement provided by the teacher and technology interaction of +/- 3 hours per day maximum; (4) Senior High School organized to scaffold learning deficits to bring students to acceptable and higher levels of skill and propel them forward in mastering the 21st Century Skills needed post high school through advanced study, taking A-G required UC approved subjects, advanced placement opportunities, career pathways, facilitated by the teacher, the online school and utilization of enriching technology applications as needed throughout the day to work independently and complete asynchronous and synchronous assignments.

EARLY ELEMENTARY K-3 SAMPLE ACTIVITIES:

- Parent/Learning Coach logs into Online School
- Online school serves up lessons for the day and scheduled activities including those activities to be supported by the Learning Coach
- Learning Coach and pupil read together the assignments and the daily schedule
- Pupil and learning coach organize the physical materials for the day's lessons and begin typical early elementary activities in three to four subject areas of concentration involving perceptual-motor development, reading individually out loud, listening, reading together out loud, and basic numeracy skill development
- Pupil and Learning Coach attend periodic synchronous sessions via the electronic classroom
- Pupil participates independently in technology supported learning games served up by the online school
- Teacher verifies attendance (3-5 hours required daily) [*CDE attendance guidance provides that "...To put the matter another way, the minimum amount of work necessary to constitute a charter school day of non-classroom-based independent study attendance is within the charter schools and teacher's discretion to determine - but whatever that minimum amount of work is, it must be done on the scheduled school day for which it is claimed as attendance for ADA purposes."*]
- Teacher and Learning Coach review daily progress and modify online schools' menu as needed to maximize the learning potential of the student

UPPER ELEMENTARY 4-6 SAMPLE ACTIVITIES:

- Parent/Learning Coach and Student logs into online School
- online school serves up lessons for the day and scheduled activities including those activities to be supported by the Learning Coach and Teacher
- Learning Coach and pupil read together the assignments and the daily schedule
- Pupil and learning coach organize the physical materials for the day's lessons and begin typical upper elementary activities in four to five subject areas of concentration involving perceptual-motor development, reading individually out loud, listening, reading together out loud, and basic numeracy skill development in addition to science, language development, and foreign language study if assigned.
- Pupil is introduced to age appropriate novels and other readings and assigned reading assignments from a reading list of relevant novels
- Pupil interacts with technology supported learning activities designed to strengthen academic skills at a level determined by computer adaptive academic skill testing to be the appropriate level for the pupil
- Grade 6 students are introduced to numeracy skills common in the middle school curriculum and using technology to electronically submit writing assignments to the teacher
- Teacher verifies attendance (4-6 hours required daily) [*CDE attendance guidance provides that "...To put the matter another way, the minimum amount of work necessary to constitute a charter school day of non-classroom-based independent study attendance is within the charter schools and teacher's discretion to*

determine - but whatever that minimum amount of work is, it must be done on the scheduled school day for which it is claimed as attendance for ADA purposes.”]

- Teacher and Learning Coach review daily progress and modify online schools’ menu as needed to maximize the learning potential of the student

MIDDLE SCHOOL 7-8 SAMPLE ACTIVITIES:

- Parent/Learning Coach and Student logs into online School
- Online school serves up lessons for the day and scheduled activities including those activities to be supported by offline activities and the organization of science experiments to be done in concert with the online science curriculum
- Parent/Learning Coach reviews the days lessons and activities with the student
- Five subject areas are prepared for the day’s learning activities
- Pupil attends synchronous learning sessions present under the direction of the teacher
- Pupils interact with others online in the development of group projects and assignments that require peer collaboration to complete
- Pupil interacts with technology supported learning activities designed to strengthen academic skills at a level determined by computer adaptive academic skill testing to be the appropriate level for the pupil
- Pupils work independently on skill and knowledge attainment assignments
- Pupils review expected outcomes for the day
- Pupils take quizzes and end of unit exams to measure skill mastery and attainment based on the lessons for the day
- Student electronically submits all required written assignments to the teacher
- Teacher verifies attendance (4-6 hours required daily) [*CDE attendance guidance provides that “...To put the matter another way, the minimum amount of work necessary to constitute a charter school day of non-classroom-based independent study attendance is within the charter schools and teacher's discretion to determine - but whatever that minimum amount of work is, it must be done on the scheduled school day for which it is claimed as attendance for ADA purposes.”]*
- Teacher, Student and Learning Coach review daily progress and modify online schools’ menu as needed to maximize the learning potential of the student
- Parent/Guardian logs into Parent/Guardian online school account to review progress and request assistance if needed
- Teacher meets face to face with parent/guardian and pupil every 30 days to review monthly progress, complete required documentation, and provide academic counseling or referrals to appropriate agencies for services as needed

SENIOR HIGH SCHOOL 9-12 SAMPLE ACTIVITIES:

- Student logs into online School
- Online school serves up lessons for the day and scheduled activities including those activities to be supported by offline activities and the organization of science experiments, readings, written assignments, and synchronous activities to be done in concert with the online curriculum

- Student reviews the days lessons and activities with the Parent/Learning Coach
- Pupils review expected outcomes for the day
- Five subject areas are prepared for the day’s learning activities
- Pupil attends synchronous learning sessions present under the direction of the teacher
- Pupils interact with others online in the development of group projects and assignments that require peer collaboration to complete
- Pupil interacts with technology supported learning activities designed to strengthen academic skills at a level determined by computer adaptive academic skill testing to be the appropriate level for the pupil
- Pupils take quizzes and end of unit exams to measure skill mastery and attainment based on the lessons for the day
- Student electronically submits all required written assignments to the teacher
- Teacher verifies attendance (4-6 hours required daily) [*CDE attendance guidance provides that “...To put the matter another way, the minimum amount of work necessary to constitute a charter school day of non-classroom-based independent study attendance is within the charter schools and teacher's discretion to determine - but whatever that minimum amount of work is, it must be done on the scheduled school day for which it is claimed as attendance for ADA purposes.”*]
- Teacher, Student and Learning Coach review daily progress and modify online school menu as needed to maximize the learning potential of the student
- Students may participate in interest clubs, student government, and intramural sports
- Pupils participate in community support activities
- Parent/Guardian logs into Parent/Guardian online school account to review progress and request assistance if needed
- Teacher meets face to face with parent/guardian and pupil every 30 days to review monthly progress, complete required documentation, and provide academic counseling or referrals to appropriate agencies for services as needed

Some students receive and execute assignments early in the morning on the same rhythm of a traditional school, but many more find their productivity is best in the afternoon or evenings. At the Charter School, students learn at the times convenient to their schedules. Though students have the flexibility to choose the time frame in which they study, they are required to demonstrate work on at least one subject each school day. Students may seek teacher support and answers to questions either through email, by telephone or by logging on to a Blackboard Collaborate™ session where any number of students meet in a “virtual classroom.”

Students complete and turn in assignments regularly throughout the online course, take tests and quizzes, and also submit papers, essays and fieldwork assessments. A student’s progress and grades are posted on a secure, private site so that both student and parents are always aware of their current status.

Students will work with the teacher and parent to agree upon the order in which the assignments will be worked on to ensure all coursework is completed in a semester. Some students may spend an entire week concentrating on math or history; others work on all their courses throughout the week.

Independent Study Legal Compliance

The Charter School will comply with all applicable independent study laws including but not limited to California Education Code Sections 51745, *et seq.*; 47612.5; 47634.2; and Title 5, California Code of Regulations, Sections 11700-11705. These laws require, among other things, that the Charter School will operate pursuant to an adopted independent study Board policy; each student will have a master agreement as required by law; and the Charter School must file for a funding determination as a condition of funding.

Elements 2 and 3: Measurable Student Outcomes and Methods of Measurement

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

and

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

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.

Additional Affirmations

- The Charter School affirms that benchmark skills and specific classroom-level skills will be developed
- The Charter School affirms that exit outcomes will align to the mission, curriculum, and assessments
- The Charter School affirms that college-bound students wishing to attend California colleges or universities have the opportunity to take courses that meet the “a-g” requirements
- The Charter School acknowledges that exit outcomes and performance goals may need to be modified over time

Outcomes Aligned to the State Priorities

CHARTER SCHOOL OUTCOMES ALIGNED TO STATE PRIORITIES
<p><u>State Priority #1.</u> The degree to which teachers are appropriately assigned (E.C. §44258.9) and fully credentialed, and every pupil has sufficient access to standards-aligned instructional materials (E.C. § 60119), and school facilities are maintained in good repair (E.C. §17002(d))</p>

ANNUAL GOALS TO ACHIEVE PRIORITY #1	ACTIONS TO ACHIEVE ANNUAL GOALS	MEASURABLE OUTCOMES AND METHODS OF MEASUREMENT
<ul style="list-style-type: none"> Virtual Preparatory Academy at Wheatland will hire and maintain a highly qualified faculty. Virtual Preparatory Academy at Wheatland will obtain the most up-to-date standards aligned instructional materials that will prepare students for college and career. 	<ul style="list-style-type: none"> All candidates will undergo a rigorous hiring process, which includes paper screening, interviews, performance tasks, curricular and teaching materials review, teaching demonstration, and reference checks. Faculty will have professional development, based on Individualized Professional Development Plan (IPDP) and the needs of students based on data. School leaders and faculty will research and obtain the most up-to-date standards-aligned materials and participate in a yearly updating process. Annual community survey. Faculty participates in shared decision-making process. 	<ul style="list-style-type: none"> 90% satisfaction rating on annual community survey results 85% of faculty reaches Individualized Professional Development Plan (IPDP) Goals. Less than 10% of faculty leaving Virtual Preparatory Academy at Wheatland after two or fewer years that are a cultural, philosophical and skills fit. Faculty does yearly assessment of materials during intersession PD time. California School Dashboard Indicators
<p>State Priority #2. Implementation of Common Core State Standards, including how EL students will be enabled to gain academic content knowledge and English language proficiency</p>		
ANNUAL GOALS TO ACHIEVE PRIORITY #2	ACTIONS TO ACHIEVE ANNUAL GOALS	MEASURABLE OUTCOMES AND METHODS OF MEASUREMENT
<ul style="list-style-type: none"> All Virtual Preparatory Academy at Wheatland curriculums will be aligned to CCSS. All Virtual Preparatory Academy at Wheatland curriculums will be designed to support ELs and other struggling subgroups. 	<ul style="list-style-type: none"> Curriculum maps for each course written prior to school opening and revisited yearly. All curriculum maps will have goals and strategies to support ELs. Professional development, which includes dedicated days for implementing Common Core, and supporting ELs and other struggling students. 	<ul style="list-style-type: none"> 75% of ELs are redesignated yearly. 90% of ELs make progress towards EL proficiency as measured by the ELPAC. School leadership/department lead yearly audit of curriculum and lesson plans show that 95% of curriculum maps are aligned to CCSS and CA ELD standards and have

		supports for ELs and struggling students. <ul style="list-style-type: none"> ● California School Dashboard Indicators
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State Priority #3. Parental involvement, including efforts to seek parent input for making decisions for schools, and how the school will promote parent participation

ANNUAL GOALS TO ACHIEVE PRIORITY #3	ACTIONS TO ACHIEVE ANNUAL GOALS	MEASURABLE OUTCOMES AND METHODS OF MEASUREMENT
<ul style="list-style-type: none"> ● Parents view themselves as a key component of the schools' and student success. ● Parents demonstrate high satisfaction with the school's program. 	<ul style="list-style-type: none"> ● Published list of differentiated opportunities for parental involvement. ● Regular, designated times for parents to give feedback to school leadership (meetings, coffee hours, etc.). ● Annual community survey. 	<ul style="list-style-type: none"> ● 75% of parents complete community survey. ● Parental attendance at community meetings is significant according to school leader. ● 90% of parents agreeing to focused questions on annual community survey.

State Priority #4. Pupil achievement, as measured by all of the following, as applicable:

- A. Statewide assessments (CAASPP, or any subsequent assessment as certified by SBE)
- B. The Academic Performance Index (API)
- C. Percentage of pupils who have successfully completed courses that satisfy UC/CSU entrance requirements, or career technical education
- D. Percentage of ELs who make progress toward English language proficiency as measured by the ELPAC
- E. EL reclassification rate
- F. Percentage of pupils who have passed an AP exam with a score of 3 or higher
- G. Percentage of pupils who participate in and demonstrate college preparedness pursuant to the Early Assessment Program (E.C. §99300 *et seq.*) or any subsequent assessment of college preparedness

ANNUAL GOALS TO ACHIEVE PRIORITY #4	ACTIONS TO ACHIEVE ANNUAL GOALS	MEASURABLE OUTCOMES AND METHODS OF MEASUREMENT
<ul style="list-style-type: none"> ● All students will become proficient in English, math, science and social science. ● Students perform well on all external tests. ● Students show growth on benchmark assessments. 	<ul style="list-style-type: none"> ● Standards based and aligned curriculum. ● Regular benchmark assessments (minimum 3x per year) aligned to standards ● Extensive student support structures (remediation 	<ul style="list-style-type: none"> ● 70% or more of all students will demonstrate at least one year of growth on the Smarter Balanced. ● 70% of students will show growth on their internal

<ul style="list-style-type: none"> All students show growth on external measures. 	<p>courses, office hours, tutoring, differentiated instruction)</p> <ul style="list-style-type: none"> Rigorous graduation requirements (beyond UC A-G) Curriculum maps designed to support ELs and struggling students Extensive professional development specifically to analyze results of and create action plans for benchmark assessments and to support struggling students and subgroups. 	<p>benchmark assessments for each course.</p> <ul style="list-style-type: none"> 97% or more of students will earn a passing grade of C or above in their courses. On average, 75% of students are proficient or above on Smarter Balanced. California School Dashboard Indicators 100% of students complete UC A-G requirements. 90% of ELs make progress towards EL proficiency as measured by the ELPAC. 75% of ELs are reclassified as measured by the ELPAC. 80% of students have passed an AP exam with a score of 3 or higher.
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State Priority #5. Pupil engagement, as measured by all of the following, as applicable:

- A. School attendance rates
- B. Chronic absenteeism rates
- C. Middle school dropout rates (EC §52052.1(a)(3))
- D. High school dropout rates
- E. High school graduation rates

ANNUAL GOALS TO ACHIEVE PRIORITY #5	ACTIONS TO ACHIEVE ANNUAL GOALS	MEASURABLE OUTCOMES AND METHODS OF MEASUREMENT
<ul style="list-style-type: none"> Students attend school regularly, consistently and on time. 	<ul style="list-style-type: none"> Advisory System and course to support students. Social-Emotional learning in all courses. Personalized Student Achievement Plans (PSAPs) Extensive support structures, including early intervention plans. Extensive community building via orientation and weekly Advisement meetings. 	<ul style="list-style-type: none"> 95% Average Daily Attendance. Less than 2% annual Chronic Absentee Rate. Less than 1% Middle School Dropout rate. Less than 3% High School Dropout Rate (cohort). 95% High School Graduation Rate (cohort).

		<ul style="list-style-type: none"> California School Dashboard Indicators
<p>State Priority #6. School climate, as measured by all of the following, as applicable:</p> <p>A. Pupil suspension rates</p> <p>B. Pupil expulsion rates</p> <p>C. Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness</p>		
ANNUAL GOALS TO ACHIEVE PRIORITY #6	ACTIONS TO ACHIEVE ANNUAL GOALS	MEASURABLE OUTCOMES AND METHODS OF MEASUREMENT
<p>Goal 1: Pupil suspension rates will be less than 3% annually.</p> <p>Goal 2: Pupil expulsion rates will be less than 1% annually.</p> <p>Goal 3: Virtual Preparatory Academy at Wheatland will annually survey students, parents, and teachers about online school safety and connectedness.</p>	<ul style="list-style-type: none"> Extensive community building via orientation and weekly Advisement meetings as well as other school events. Social-Emotional Learning in all courses. Personalized Student Achievement Plans (PSAPs). Analysis of and action plans from community surveys. 	<ul style="list-style-type: none"> Less than 3% suspensions. Less than 1% expulsions. 90% of students are satisfied with Virtual Preparatory Academy at Wheatland on community survey. 90% of parents are satisfied with Virtual Preparatory Academy at Wheatland from community surveys. California School Dashboard Indicators
<p>State Priority #7. The extent to which pupils have access to, and are enrolled in, a broad course of study, including programs and services developed and provided to unduplicated students (classified as EL, FRPM-eligible, or foster youth; E.C. §42238.02) and students with exceptional needs.</p> <p>“Broad course of study” includes the following, as applicable:</p> <p><u>Grades 1-6:</u> English, mathematics, social sciences, science, visual and performing arts, health, physical education, and other as prescribed by the governing board. (E.C. §51210)</p> <p><u>Grades 7-12:</u> English, social sciences, foreign language(s), physical education, science, mathematics, visual and performing arts, applied arts, and career technical education. (E.C. §51220(a)-(i))</p>		
ANNUAL GOALS TO ACHIEVE PRIORITY #7	ACTIONS TO ACHIEVE ANNUAL GOALS	MEASURABLE OUTCOMES AND METHODS OF MEASUREMENT
<ul style="list-style-type: none"> 100% of students are enrolled in a broad course of study, 	<ul style="list-style-type: none"> Rigorous graduation requirements that exceed A-G. 	<ul style="list-style-type: none"> 95% of students graduate on time.

including graduation requirements that exceed UC A-G.	<ul style="list-style-type: none"> ● Extensive Support Systems (advisory, tutoring, office hours, remedial courses, etc.). ● Comprehensive college admission process and program. 	<ul style="list-style-type: none"> ● 98% of students are accepted to a 4-year college. ● California School Dashboard Indicators
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State Priority #8. Pupil outcomes, if available, in the subject areas described above in #7, as applicable.

ANNUAL GOALS TO ACHIEVE PRIORITY #8	ACTIONS TO ACHIEVE ANNUAL GOALS	MEASURABLE OUTCOMES AND METHODS OF MEASUREMENT
<p>Goal 1: All students will become proficient readers and writers of the English Language.</p> <p>Goal 2: All students will become proficient in mathematical skills and content.</p> <p>Goal 3: All students will become proficient in science concepts and scientific thinking.</p> <p>Goal 4: All students will become proficient in social science practice and content.</p>	<ul style="list-style-type: none"> ● Standards based and aligned curriculum maps. ● Regular benchmark assessments (minimum 3x per year) aligned to standards. ● Extensive student support structures (remediation courses, office hours, tutoring, and differentiated instruction). ● Rigorous graduation requirements (beyond UC A-G). ● Curriculum maps designed to support ELs and struggling students. ● Extensive professional development specifically to analyze results of and create action plans for benchmark assessments and to support struggling students and subgroups. 	<ul style="list-style-type: none"> ● 70% or more of all students will demonstrate at least one year of growth on the English Smarter Balanced test. ● 70% of students will show growth on their internal benchmark assessments for English. ● 75% or more of all students will be proficient or above English Smarter Balanced test. ● An average of 70% or more of all students will be classified as having an advanced or proficient grade level equivalence on IReady Benchmark assessments. ● 97% or more of all students will earn a passing grade of C or above in their English course. ● 70% or more of all students will demonstrate at least one year of growth on the CST for math. ● 70% of students will show growth on their

		<p>internal benchmark assessments for math.</p> <ul style="list-style-type: none"> ● 75% of students will be proficient or above on the math Smarter Balanced test. ● 97% or more of students will earn a passing grade of C or above in their math course. ● 70% or more of all students will demonstrate at least one year of growth on the Smarter Balanced for science. ● 70% of students will show growth on their initial benchmark assessments for science. ● 75% of students will be proficient or above on the science Smarter Balanced test. ● 97% or more of students will earn a passing grade of C or above in their science course. ● 70% or more of all students will demonstrate at least one year of growth for social science. ● 70% of students will show growth on their initial benchmark assessments for social science. ● 75% of students will be proficient or above on the social science Smarter Balanced test. ● 97% or more of students will earn a
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		<p>passing grade of C or above in their social science course.</p> <ul style="list-style-type: none"> ● 75% of students in identified subgroups (ELs, students with disabilities, Latinos, African Americans, and Socioeconomically Disadvantaged) that are basic, proficient or advanced on their Smarter Balanced test. ● School leadership/department lead yearly audit of curriculum and lesson plans show that 95% of curriculum maps are aligned to ELD standards and have supports for ELs and struggling students. ● California School Dashboard Indicators
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The Charter School shall pursue the following measurable student outcomes:

OUTCOME	METHODS OF MEASUREMENT
The Charter School shall make progress as measured by the California Dashboard ranking and as defined by the ESSA	California School Dashboard
The Charter School shall meet or exceed a 93% rate attendance rate.	Period two (2) attendance count.
The Charter School shall meet or exceed its growth LCAP target school-wide and within reportable subgroups on an annual basis	LCAP reporting
The Charter School shall receive an average score of 8.0 on a scale of 1-10 on annual Parent satisfaction surveys	Annual Parent satisfaction surveys
The Charter School students shall increase Scaled Scores by at least 1.25 years from fall to spring using IReady	Pre and Post testing scores

benchmark assessments, which are a nationally normed <i>and</i> criterion referenced assessment.	
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Using the data analysis techniques discussed below, the Charter School will review student performance data to reflect upon and make ongoing improvements as necessary to its educational program and to these stated outcomes, and to further break these outcomes into shorter term benchmarks.

The Charter School will participate in all state required assessments for applicable grade levels in assessing core subjects.

Individual Student Growth Measurements

Our assessment strategy is designed to support teachers with actionable data in order to prepare our students for proficiency on state and local exams. Our strategy begins with our iReady entrance exam for all incoming K-12th grade students, both newly enrolled and returning, in Reading and Math. The iReady Diagnostic will be administered two additional times during the school year (Winter and Spring) in order to ensure students are on track to achieve their growth goals. Additionally, standards-based iReady assessments will be administered throughout the year in order to measure the mastery of key concepts in 2nd-8th grade. iReady Growth Monitoring checks will be given in between Diagnostic windows to track progress toward growth goals in K-12th grade. Classroom assessments, formative and summative, will also be leveraged regularly. The data from these assessments will be used to inform a robust cycle of learning, practicing, applying, assessing, responding, reteaching, and re-assessing.

In addition, the use of computer adaptive assessments has the advantage of allowing frequent and convenient monitoring of the academic achievement of individual students, entire grades and the whole school. Thus, the most frequent assessment will be the weekly reports of student performance generated by the online program.

Other assessments will include:

- Criterion-referenced tests in Reading/Language Arts, Mathematics, Science, and Social Studies: specifically designed for gathering detailed information about how well a student has performed on each of the educational goals of the curriculum.
- Authentic assessments using portfolios—print and video: These portfolios will document students' work, display a command of skills and content, and provide insight into the learning process over time. These will include a variety of student work samples along with observations and evaluations of student learning and performance by the student, school staff, parents and peers as applicable.
- Performance-based assessments: These assessments require students to actively solve problems and apply knowledge in production-driven learning activities. These activities

may include science experiments, dramatic and oral presentations, video productions, research, etc.

- **Documentary assessments:** These assessments involve organizing the information a teacher collects regarding a child’s learning process and achievements. Interpretations of these assessments will be used to individualize curriculum and instruction. These methods of assessment are connected to students’ lives and learning experiences and represent the real-world challenges they will face.

Use And Reporting Of Data

Report of Individual Student Progress

The online medium enables close tracking of student progress on an ongoing basis. Teachers, parents and students will be able to clearly track grades and performance against goals daily.

The Charter School intends to encourage parental involvement but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, the charter school. [Education Code 47605(n).] The following formal reports of student progress will also be provided to parents as indicated:

Parent Conferences – requested meetings in which the student’s progress is discussed and samples of work provided	4 times per year
Report Cards – distributed at the parent conference (only mailed home on exception basis)	4 times per year
Personalized Learning Plans – either mailed home, given to parent or guardian when child is picked up, or sent home via backpack	4 times per year
Grade Updates – although not specific to the achievement of an individual child, provides parents and guardians with curriculum updates	2 times per year

Use of Achievement Data to Improve Upon Charter School Programs

The Charter School will utilize a combination of assessment tools to review the educational program on an ongoing basis and to suggest improvements in areas of low performance for all identified student populations.

As outlined above, the Charter School will implement a range of measurements – both quantitative and qualitative – to track to annual student achievement. These measurements will be used to make adjustments to our educational program.

The Charter School evaluates results analyses, from both longitudinal school-wide performance and comparisons with similar schools tested, into its plan for school-wide shifts in curriculum and instruction on a yearly basis. This will set the tone for teacher training.

Parent feedback will be solicited annually through an independent survey.

School Accountability

The Charter School will be responsible for the publication of an annual School Accountability Report Card (“SARC”).

Pursuant to Education Code Section 47604.3, the Charter School will promptly respond to all reasonable inquiries, including, but not limited to inquiries regarding its financial records from the District. The Charter School will automatically submit all financial reports required under Education Code Section 47604.33 and 47605(m). The Charter School recognizes the right of the District to conduct random inspections of the Charter School pursuant to Education Code Section 47607.

Element 4: Governance Structure

Governing Law: The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement—California Education Code Section 47605(b)(5)(D)

Non-Profit Public Benefit Corporation

Virtual Preparatory Academy at Wheatland, a California Nonprofit Public Benefit Corporation will operate the Charter School.

The Charter School will operate autonomously from the District, with the exception of the supervisory oversight as required by statute and other contracted services as negotiated between the District and the Charter School. Pursuant to California Education Code Section 47604(c), the District shall not be liable for the debts and obligations of The Charter School, operated by a California non-profit benefit corporation or for claims arising from the performance of acts, errors, or omissions by the charter school as long as the District has complied with all oversight responsibilities required by law.

Board of Directors

The Charter School shall be governed by a corporate Board of Directors who shall be selected, and serve, and governs the Charter School in accordance with its adopted corporate bylaws, which shall be maintained, to align with the terms of this charter and applicable law.

In accordance with Education Code Section 47604(c), the District may appoint a representative to serve on the Board of Directors. Neither employees of nor contractors to the Charter School will serve on the board.

At least once quarterly, the Board of Directors will meet within a 30-mile radius of the District Office.

Board Duties

The Board of Directors will be responsible for the operation and fiscal affairs of the Charter School including but not limited to:

- Approval of the annual school budget, calendar, salary schedules, major fundraising events, and grant writing;
- Negotiation and approval of a MOU or other contracts with the District;
- Approval of all contracts, contract renewals, and personnel actions (e.g., hiring, discipline, dismissal)
- Approval of bylaws, resolutions, and policies and procedures of school operation
- Approval of all changes to the charter to be submitted to the District as necessary in accordance with applicable law
- Long-term strategic planning for the Charter School;
- Participation as necessary in dispute resolution;
- Monitoring overall student performance;
- Reviewing and approving the selection of the Head of School, as necessary;
- Reviewing and approving the evaluation of the Head of School;
- Monitoring the performance of the Charter School and taking necessary action to ensure that the Charter School remains true to its mission and charter;
- Monitoring the fiscal solvency of the Charter School;
- Participation in the Charter School's independent fiscal audit;
- Participation in the Charter School's performance report to the District;

- Participation as necessary in student expulsion matters; and
- Increasing public awareness of the Charter School
- Fundraising efforts

The Charter School will update the District of changes to the Charter School Board of Directors.

The Charter School's Board of Directors may initiate and carry out any program or activity that is not in conflict with or inconsistent with any law and which is not in conflict with the purposes for which charter schools are established.

Board Meetings

The Board of Directors will meet at least monthly (except for summer months) to review and act on its responsibilities. All meetings shall be held in accordance with the Brown Act.

The Charter School shall adopt a conflicts code which shall comply with the Political Reform Act, Government Code Section 87100, and applicable conflict restrictions required by the Government Code and Corporations Code and any conflicts restrictions that may be adopted in the future as applicable to the Charter School.

The Board of Directors meetings will be headed by a Board President, who will be elected annually amongst the Board at the concluding meeting of the school year.

As long as quorum exists as defined by the corporate bylaws, measures voted on by the Board of Directors may be passed with a simple majority of present members.

Board Training

The Board of Directors shall participate annually in training regarding board governance, the Brown Act, and conflicts of interest rules.

Board Delegation of Duties

The Board may execute any powers delegated by law to it and shall discharge any duty imposed by law upon it and may delegate to an employee or contractor of the Charter School any of those duties with the exception of dismissal of employees, approval of Board policies, approval of the budget or budget revisions or purchases over \$25,000. The Board, however, retains ultimate responsibility over the performance of those powers or duties so delegated. Such delegation will:

- Be in writing;
- Specify the entity designated;

- Describe in specific terms the authority of the Board being delegated, any conditions on the delegated authority or its exercise and the beginning and ending dates of the delegation; and
- Require an affirmative vote of a majority of present Board members.

Charter School Head of School

The Head of School will be the leader of the Charter School. The Head of School will ensure that the curriculum is implemented in order to maximize student-learning experiences. She/he is responsible for the orderly operation of the Charter School and the supervision of all employees in the Charter School.

The Head of School will be responsible for administering the Charter School in all of the aspects of its day to day operations, working with the Charter School Board of Directors, the District, students, parents, and community members and the other governing bodies specified by local and state law. The Head of School's duties shall include, but are not limited to, the following:

- Provide instructional leadership to the Charter School
- Attend meetings at the District as requested by the District and stay in direct contact with the District to assist the District in its oversight duties;
- Supervise all employees of the Charter School; make recommendations to the Board of Directors regarding the hiring of all Charter school employees;
- Provide performance evaluations of all Charter School employees at least once annually;
- Prepare proposals of policies for adoption by the Board of Directors;
- Provide comments and recommendations regarding policies presented by others to the Board;
- Advise the Board and make written recommendations to the Board on programs, policies, budget and other school matters;
- Communicate with the Charter School's legal counsel;
- Stay abreast of school laws and regulations;
- Participate in the dispute resolution procedure and the complaint procedure when necessary;
- Write applications for grants;

- Attend meetings with the Chief Financial Officer of the District on fiscal oversight issues periodically upon request;
- Provide all legally required financial reports to the District;
- Develop and administer the budget as approved by the Board in accordance with generally accepted accounting principles;
- Present quarterly financial reports to the Board of Directors;
- Provide assistance and coordination in the implementation of curriculum;
- Oversee parent/student/teacher relations;
- Attend IEP meetings as required by law;
- Oversee student disciplinary matters;
- Coordinate the administration of Standardized Testing;
- Plan and coordinate student orientation;
- Attend all Charter School Board meetings and attend as necessary District Board meetings;
- Foster an amicable relationship between District and the Charter School and facilitate a sharing of resources between both entities;
- Establish a Communication Model to facilitate communication among all the groups within the Charter School, between the Charter School and the District, and between the Charter School and the community at large;
- Graduations; and
- Facilitate recruitment, information, and back to school events.

The above duties may be delegated or contracted as approved by the Board to another employee of the Charter School or to an appropriate third-party provider as allowed by applicable law.

Parent Participation in Governance

The Charter School will ensure parents have an opportunity to participate in governance of the Charter School, through involvement in the Charter School Advisory Council.

The Parent Advisory Council shall be composed of parents who have children currently enrolled in the Charter School. The Advisory Council shall meet regularly and shall make recommendations to the Administration for agreed upon aspects of operation. The Administration or their designee

shall attend Advisory Council meetings and shall report Advisory Council recommendations to the Board of Directors.

Conflict of Interest

The Fair Political Practices Commission (FPPC) has determined that a charter school constitutes a “local government agency.” As such, a charter school leader, board members, executive director, director, principal, assistant principal, coordinator and financial manager are subject to the same conflict-of-interest and disclosure requirements as any other public agency. Under the Act, these individuals are required to disclose assets and income, which may be materially affected by their official actions. California law requires these designated individuals to file a Form 700 when they first assume office, annually thereafter, and when they leave office.

The Governing Board maintains the highest ethical standards for the school and ensures that decisions are made in the best interest of the School and the public. Accordingly, no Board member, School employee, or other person in a designated position shall participate in the making of any decision for the district when the decision will or may be affected by their financial, family, or other personal interest or consideration.

Even if a prohibited conflict of interest does not exist, a Board member shall abstain from voting on personnel matters that uniquely affect their relatives. However, a Board member may vote on personnel matters that affect a class of employees to which their relative belongs. Relative means an adult who is related to the Board member by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree.

A relationship within the third degree includes an individual's parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse/registered domestic partner unless the individual is widowed or divorced.

The Board shall adopt for the School a conflict of interest code that specifies the School's designated positions and provides the disclosure categories required for each position. The conflict of interest code shall be submitted to the Board’s code reviewing committee for approval. Upon direction by the code reviewing committee, the Board shall review the School's conflict of interest code and submit any changes to the code reviewing committee or, if no change is required, the Board shall submit a written statement to that effect for audit file and the sponsoring district.

Virtual Preparatory Academy at Wheatland Charter School Designated Individuals:

Position	Category
Board Members	1 and 2
HEAD OF SCHOOL/ Principal	1 and 2
Director of Business Services	1 and 2
Director of School Improvement	2
Director of School Operations	2

Virtual Preparatory Academy at Wheatland Charter School Disclosure Categories:

1. All interests in real property, all investments, all income, including gifts, loans, travel payments, and business positions that may represent an appearance of a conflict of interest in matters related to Virtual Preparatory Academy at Wheatland Charter School.
2. Investments and business positions in business entities and income, including gifts, loans, and travel payments, from sources of the type which, within the last two calendar years, have contracted with Virtual Preparatory Academy at Wheatland Charter School

When a change in the district's conflict of interest code is necessitated due to changed circumstances, such as the creation of new designated positions, changes to the duties assigned to existing positions, amendments, or revisions, the amended code shall be submitted to the code reviewing committee within 90 days after the changed circumstances necessitating the amendments have become apparent.

When reviewing and preparing the district's conflict of interest code, the Principal or designee shall provide officers, employees, consultants, and members of the community adequate notice and a fair opportunity to present their views.

Board members and designated employees shall annually file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories specified in the School's conflict of interest code. A Board member who leaves office or a designated employee who leaves employment shall, within 30 days, file a revised statement covering the period of time between the closing date of the last required statement and the date of leaving office or district employment.

Conflict of Interest under the Political Reform Act

Unless lawmakers and/or the courts clarify otherwise, Virtual Preparatory Academy at Wheatland Charter School is abiding by the FPPC's guidance in the spirit of good ethics and has incorporated this disclosure requirement into the Virtual Preparatory Academy at Wheatland Charter School, Charter, and the Virtual Preparatory Academy at Wheatland Charter School Conflict of Interest Code.

A Board member, designated employee, or other person in a designated position shall not make, participate in making, or in any way use or attempt to use their official position to influence a governmental decision in which they knew or has reason to know that he/she has a disqualifying conflict of interest. A disqualifying conflict of interest exists if the decision will have a "reasonably foreseeable material financial effect" which is distinguishable from the effect on the public generally, on the Board member, designated employee or other person in a designated position, their immediate family, or any financial interest.

A Board member, designated employee, or other person in a designated position makes a governmental decision when, acting within the authority of their office or position, authorizes or directs any action on a matter, votes or provides information or opinion on it, contacts or appears before a district official for the purpose of affecting the decision, or takes any other action that may affect the decision or outcome of a vote.

Additional Requirements for Boards that Manage Public Investments:

Any Board member who manages public investments and has a financial interest in a decision shall, upon identifying a conflict or potential conflict of interest and immediately prior to the consideration of the matter, do all of the following:

1. Publicly identify each financial interest that gives rise to the conflict or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required.
2. Recuses themselves from discussing and voting on the matter. The Board member shall not be counted toward achieving a quorum while the item is discussed. However, the Board member may speak on the issue during the time that the general public speaks on it. They may listen to the public discussion and deliberations of the matter with members of the public.
3. Leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters.
4. If the Board's decision is made during closed session, disclose their interest orally during the open session preceding the closed session.

Conflict of Interest under Government Code 1090 – Financial Interest in a Contract

Board members, employees, or district consultants shall not be financially interested in any contract made by the Board on behalf of the district, including in the development, preliminary discussions, negotiations, compromises, planning, reasoning, and specifications and solicitations for bids. If a Board member has such a financial interest in a contract made by the Board, the contract is void.

A Board member shall not be considered to be financially interested in a contract in which they have only a “remote interest” in the, if the interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member or district official to enter into the contract.

In addition, a Board member shall not be considered to be financially interested in a contract in which their interest is a "noninterest".

Noninterest includes a Board member's interest in being reimbursed for their actual and necessary expenses incurred in the performance of their official duties, in the employment of their spouse/registered domestic partner who has been a district employee for at least one year prior to the Board member's appointment, or in any other applicable circumstance.

Common Law Doctrine Against Conflict of Interest

A Board member shall abstain from any official action in which their private or personal interest may conflict with their official duties.

Incompatible Offices and Activities

Board members shall not engage in any employment or activity or hold any office which is inconsistent with, incompatible with, in conflict with, or inimical to the Board member's duties as an officer of the School.

Definitions:

1. Interested Person-

Any director, principal officer, key employee or member of a committee with board of director-delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.

2. Financial Interest-

A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

- An ownership or investment interest in any entity with which Virtual Preparatory Academy at Wheatland Charter School has a transaction or arrangement.
- A compensation arrangement with Virtual Preparatory Academy at Wheatland Charter School or with any entity or individual with which Virtual Preparatory Academy at Wheatland Charter School has a transaction or arrangement, or
- A potential ownership or investment interest in, or compensation arrangement with any entity or individual with which Virtual Preparatory Academy at Wheatland Charter School is negotiating a transaction or arrangement.
- Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

Procedures:

1. Duty to Disclose

In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the directors and members of committees considering the proposed transaction or arrangement.

2. Determining Whether a Conflict of Interest Exists

After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the Board of Directors meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board members shall decide if a conflict of interest exists.

3. Procedures for Addressing the Conflict of Interest

- a. An interested person may make a presentation at the governing board meeting but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
- b. The chairperson of the board of directors shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.

- c. After exercising due diligence, the board of directors shall determine whether Virtual Preparatory Academy at Wheatland Charter School can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.

If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in Virtual Preparatory Academy at Wheatland Charter School best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination, it shall make its decision as to whether to enter into the transaction or arrangement.

4. Violations of the Conflicts of Interest Policy

- a. If the governing board of directors has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- b. If after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board of directors determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action and/or up to immediate termination.

Records of Proceeding:

The minutes of the governing board and all committees with board delegated powers shall contain:

- a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present and the governing board of director's decision as to whether a conflict of interest in fact existed.
- b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

Annual Statements:

Each board member, executive director, and member of a committee with governing board-delegated powers shall annually sign a statement that affirms such person

- a. Has received a copy of the conflicts of interest policy,
- b. Has read and understands the policy,
- c. Has agreed to comply with the policy, and

- d. Understands Virtual Preparatory Academy at Wheatland Charter School is a non-profit and in order to maintain its federal tax exemption, it must engage primarily in activities that accomplish one or more of its tax-exempt purposes.

Periodic Reviews:

To ensure Virtual Preparatory Academy at Wheatland Charter School operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews, shall, at a minimum, include the following subjects:

- a. Whether compensation arrangements and benefits are reasonable, based on competent survey information and the result of arm's length bargaining.
- b. Whether partnerships, joint ventures, and arrangements with management organizations conform to Virtual Preparatory Academy at Wheatland Charter School written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in impermissible private benefit.
- c. When conducting the periodic reviews as provided for in Article VII, Virtual Preparatory Academy at Wheatland Charter School may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the board of directors of its responsibility for ensuring periodic reviews are conducted

Element 5: Employee Qualifications

Staff Selection

Virtual Preparatory Academy at Wheatland prohibits discrimination, harassment, intimidation, bullying and sexual harassment based on actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, nationality, immigration status, marital status, parental status, family status, pregnancy status, race or ethnicity, religion, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics in all educational programs, school related or school sponsored activities, school attendance or employment policies which may have an impact or create a hostile environment at school as required by Title IX of the 1972 Education amendments, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, the California Fair Employment and Housing Act, and other applicable laws and regulations. For questions or concerns regarding discrimination, harassment, intimidation, bullying or sexual harassment, please contact the District's Discrimination, Equity, and Title IX Compliance Officer.

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

In accordance with Charter School health and safety policies, described below, all employees shall be fingerprinted, and background checked and receive background clearance and tuberculosis clearance prior to commencing employment with the Charter School.

Following are descriptions of the key positions for the Charter School:

Head of School

The Charter School's Head of School will be the instructional leader at the school and will be responsible for helping the school and students achieve the outcomes outlined in this charter petition.

Required knowledge, skills, and abilities:

- Understanding of distance learning methodology, measurement and implementation
- Understanding of employee evaluation in a corporate / non-profit setting
- Superb communication and community-building skills
- Deep knowledge of curriculum development and program design
- A record of success in operating not / for profit business
- A record of success in building community partnerships and fundraising
- Entrepreneurial passion
- Knowledge of school / non-profit management

Required educational level:

- Master's Degree or Education Administrative Experience

Deputy Head of School

The Charter School's Deputy Head of School will be an additional instructional leader at the school and will be responsible for helping the school and students achieve the outcomes outlined in this charter petition. The Deputy Head of School will have the following qualifications:

Required knowledge, skills, and abilities:

- Understanding of distance learning methodology, measurement and implementation
- Understanding of teacher evaluation in an online school
- Superb communication and community-building skills
- Deep knowledge of curriculum development and program design
- A record of success in developing teachers
- Entrepreneurial passion
- Knowledge of school management

Required educational level:

- Master's Degree required

Credentialing:

- California Commission on Teacher Credentialing School administrative credential preferred.

Required experience:

- 7 plus years teaching and administrative experience
- Experience in performance assessment
- Experience in school management

Teacher Qualifications

Required knowledge, skills, and abilities:

Candidates are evaluated using these standards:

- Committed to students and learning
- Experience teaching in an online environment
- Highly Qualified under applicable requirements of Every Student Succeeds Act ESSA
- Technologically knowledgeable Skilled in management of learning Reflective in their practice Community-oriented

Required educational level / credentialing:

Charter School teachers will be required to hold a California Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold, in accordance with Education Code section 47605(l), and shall meet applicable "highly qualified" requirements required by the Every Student Succeeds Act through prior experience and extensive professional development.

Student to teacher ratio will be in accordance with Education Code Section 51745.6. The Charter School will maintain auditable files of teacher credentials on-site in compliance with applicable law.

Teacher Recruitment

The Charter School will develop a comprehensive teacher recruitment policy to attract highly qualified, credentialed teachers. The Charter School recruitment strategies for employing highly qualified teachers include using established teacher credentialing services, such as EdJoin, Monster.com, college employment fairs, among other generally acceptable strategies.

The Charter School will advertise locally, regionally and nationally to attract the best staff, using Internet resources as well as local and regional newspapers forums and national periodicals. We will also host local job fairs and attend area college/university job fairs.

Teachers will be required to hold a degree in education or related discipline (*i.e.* social science, humanities), hold the appropriate certification, demonstrate competence in all areas of content responsibility, demonstrate computer literacy, be respected as a professional educator and as an individual, and exhibit excellent verbal and written expression as well as strong interpersonal skills. Additional qualifications for staff positions are available upon request. Additionally, thorough background screenings will be performed on all staff at the Charter School.

Attached as Appendix A, the Charter School Teacher Approval Signature Page demonstrates that Charter School has highly qualified candidates who are meaningfully interested in teaching at the school.

Professional Development

The Charter School is committed to providing continuous opportunities to better teaching and leadership at the Charter School.

Teachers will engage in pedagogy trainings as well opportunities in subject matter, licensure, or continued education experiences in their fields. Our approach is two-fold. Teachers and leaders will work on their own development in their fields of expertise as well as receiving cross-curricular training to understand curriculum implementations. This is crucial for we believe that for teachers and leaders to be effective, they must maintain high standing in their own respect and take ownership of their careers. This leads to the second cadre of our approach – a focus on curricular, instructional, and instructional-climate strategies to improve student success. Teachers and leaders must be armed with the confidence, knowledge, tools, and experience to maximize effectiveness. We therefore pair student performance data, parent satisfaction data and climate findings with instructional strategies that reinforce progress and success or meet the need to change what's ineffective.

Teacher Training and Support: A Rand (Critical Technologies Institute, March 1995) study found that new teaching strategies can require as much as 50 hours of instruction, practice, and coaching before teachers can effectively use them. Virtual Preparatory Academy at Wheatland provides teachers with ongoing training and devote at least 20 days the first year and 15 days each additional year towards professional development. Teachers new to Virtual Preparatory Academy at Wheatland receive and participate in two weeks of pre-service training. This training gives teachers a solid set of tools, strategies and resources to help them implement the curricula successfully—and bring success to students. Week 1 of pre-service training is presented by Virtual Preparatory Academy at Wheatland staff in a style that models the effective teaching strategies teachers are to use in their real and/or virtual classrooms. Not only do participants learn about effective teaching strategies, they experience them. During each day of the five-day training, teachers explore, practice, and apply pedagogical philosophies, and strategies in community building, classroom and/or online educational management, informal and formal assessment, and effective teaching.

During Week 2 of pre-service training, new teachers are joined by returning teachers. During this week, teachers apply their new knowledge--gained during Week 1--even more specifically. Teachers work together to become familiar with their curricula, identify and apply effective teaching strategies, and connect with standards. Teachers then write lesson plans to reflect these goals. They also practice implementing lessons for their peers and supervisors—gaining valuable feedback to ensure that their first days in the classroom are confident and successful.

During training, teachers also receive brief checklists outlining the essential elements that should be evident as they teach language arts, math, science, and social studies. They understand that these checklists can and will be used by their Program Facilitator and Principal for informal review of their teaching practices in action. These checklists serve as excellent tools for discussion, feedback and tracking of teacher growth. Teachers are encouraged to keep their checklists in a prominent or easily accessible place so that they have an ongoing reminder of key aspects of an effective learning environment.

Teachers receive ongoing support from their program facilitators during weekly grade group meetings and an additional 5 in-service days throughout the year. During these meetings program facilitators address teachers concerns and provide additional information, resources, and strategies to ensure that teachers continue to create educational experiences that foster student achievement. A Virtual Preparatory Academy at Wheatland newsletter is also sent out to educational staff on a regular basis, providing them with updates, hints, reminders, and other information that will support them in meeting the needs of their students.

In-service education at the Charter School will be tailored to the student population and to instructional strategies. Several strategies will support ongoing teacher training. One or more in-house curriculum specialists provide regular teacher training and curriculum support. These program facilitators provide ongoing professional development, pedagogical training and teaching support. Workshops provided for teaching staff will include, but are not limited to, reclaiming youth at risk, resiliency training, and the application of technology in instructional settings,

Common Core State Standards, assessment, and the development of instructional learning work plans.

To reward excellence in teaching and mentoring, Virtual Preparatory Academy at Wheatland has a professional track including a variety of seminars and conferences teachers may attend based on their individual professional development plan. The Charter School will allocate resources to professional development opportunities as part of our efforts to attract and maintain highly qualified staff. Virtual Preparatory Academy at Wheatland will also work with the Charter School to implement strategies to ensure that we do not lose our most valuable resource—trained, committed teachers—to the competition, be it charter, district, or private. New charter schools tend to attract risk takers who are excited by the possibility of starting from scratch and creating a new school of choice in communities that have had few or no educational options. Such staff members energize the Charter School and contribute to the vitality and flexibility that will undoubtedly become a defining tenet of the Charter School’s school culture.

Element 6: 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 record summary as described in Section 44237; the development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (H), inclusive, of paragraph (2) of subdivision (a) of Section 32282 and procedures for conducting tactical responses to criminal incidents; and that the school safety plan be reviewed and updated by March 1 of every year by the charter school.—California Education Code Section 47605(b)(5)(F)

In order to provide safety for all students and staff, the Charter School will adopt and implement full health and safety procedures in consultation with its insurance carriers and risk management experts to implement the above policies. The Charter School will maintain a copy of facilities inspections on file. Safety and disaster plans appropriate to the facilities will be developed.

The following is a summary of the health and safety policies of the Charter School:

- **Procedures for Background Checks**

Employees and contractors of the Charter School will be required to submit to a criminal background check and furnish a criminal record summary as required by Education Code Sections 44237 and 45125.1. New employees not possessing a valid California Teaching Credential must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The Head of School of the Charter School shall monitor compliance with this policy and report to the Board of Directors on a quarterly basis. The Board President shall monitor the fingerprinting and background clearance of the Head of School. Volunteers who will volunteer outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

- **Role of Staff as Mandated Child Abuse Reporters**

All non-certificated and certificated staff will be mandated child abuse reporters and will follow all applicable reporting laws, the same policies and procedures used by the District.

- **TB Testing**

Employees will be screened and, if indicated by the screening, tested for tuberculosis prior to commencing employment as required by Education Code Section 49406.

- **Immunizations**

All students enrolled and staff will be required to provide records documenting immunizations as is required at public schools pursuant to Health and Safety Code Sections 120325-120375, and

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

- **Medication in School**

The Charter School will adhere to Education Code Section 49423 regarding administration of medication in school.

The Charter School shall stock and maintain the required quantity and type of emergency epinephrine auto-injectors at any physical location in which students participate in educational opportunities, and provide training to employee volunteers in the storage and use of the epinephrine auto-injector as required by Education Code Section 49414 and Section 4119.2 of the Business and Professions Code.

- **Vision, Hearing/Scoliosis**

Students will be screened for vision, hearing and scoliosis in accordance with Education Code Section 49450, *et seq.*, as applicable to the grade levels served by the Charter School.

- **Diabetes**

The Charter School will provide an information sheet regarding type 2 diabetes to the parent or guardian of incoming 7th grade students. 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.

- **Blood borne Pathogens**

The Charter School shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the workplace. The Board shall establish a written infectious control plan designed to protect employees and students from possible infection due to contact with blood borne viruses, including human immunodeficiency virus (HIV) and hepatitis B virus (HBV).

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

- **Drug Free/Alcohol Free/Smoke Free Environment**

The Charter School shall function as a drug, alcohol and tobacco free workplace.

- **Facility Safety**

The Charter School shall comply with Education Code Section 47610 by either utilizing facilities that are compliant with the Field Act or facilities that are compliant with the California Building Standards Code. The Charter School agrees to test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times. The Charter School shall conduct fire drills as required under Education Code Section 32001.

Comprehensive Sexual Harassment Policies and Procedures

The Charter School is committed to providing a school that is free from sexual harassment, as well as any harassment based upon such factors as race, religion, creed, color, national origin, ancestry, age, medical condition, marital status, sexual orientation, or disability. The Charter School has developed a comprehensive policy to prevent and immediately remediate any concerns about sexual discrimination or harassment at the Charter School (including employee to employee, employee to student, and student to employee misconduct). Misconduct of this nature is very serious and will be addressed in accordance with the Charter School's sexual harassment policy.

Per Government Code Section 12950.1, the Charter School shall provide sexual harassment training and education to each supervisory employee in California once every two years. The training and education shall include information and practical guidance regarding the federal state statutory provisions concerning the prohibition against and the prevention and correction of sexual harassment and the remedies available to victims of sexual harassment in employment. The training and education shall also include practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation, and shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation.

Element 7: Racial and Ethnic Balance

Governing Law: The means by which the school will achieve racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.—California Education Code Section 47605(b)(5)(G)

The Charter School will implement a student recruiting strategy that will ensure that the student population at the Charter School will be reflective of the general population residing within the territorial jurisdiction of the District. The Charter School will monitor the racial and ethnic balance among its students on an annual basis and implement remedial measures if the Charter School's student population is not reflective of the general student population of the District. The Charter School will engage in a variety of means and strategies to try to achieve a racially and ethnically diverse student population. These strategies include the following:

- An enrollment process that is scheduled and adopted to include a timeline that allows for a broad-based recruiting and application process.
- The development of promotional and informational material that appeals to all of the various racial and ethnic groups represented in the district.

Student recruitment efforts may include, but are not limited to, direct mail, print advertising, and informational meetings directed toward targeted student populations to recruit students from the various racial and ethnic groups represented in the district.

The Charter School intends to conduct its student recruitment efforts throughout Yuba County and adjacent counties.

Element 8: Admissions Requirements

Governing Law: Admissions requirements, if applicable. —California Education Code Section 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 identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). The Charter School shall comply with all applicable legally required minimum and maximum age requirements.

Upon admission to the Charter School, the registration process is comprised of the following:

- Completion of a student registration form;
- Proof of Immunization;
- Home Language Survey;
- Completion of Emergency Medical Information Form;
- Proof of minimum and maximum age requirements, e.g. birth certificate;
- Execution of a master agreement as required by independent study law.

All students who wish to attend the Charter School shall be admitted, subject only to capacity. Admission to the Charter School shall not be determined by the place of residence of the student or his or her parent in the State, except as provided in Education Code Section 47605(d)(2) and Education Code Section 51747.3.

If the number of students who wish to attend the Charter School exceeds the Charter School's capacity, admission, except for existing students of the Charter School, shall be determined by a public random drawing. In the case of a public random drawing, the following will be given preference for admission to the Charter School:

1. Existing students enrolled in the Charter School
2. Siblings of existing students enrolled in the Charter School
3. Children of Charter School employees
4. Students who reside in the District
5. Students who reside in Yuba County
6. All other applicants

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.

The Charter School and District agree not to consider any other preference and that the preferences set forth herein shall not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.

At the conclusion of the public random drawing, all students who were not granted admission due to capacity shall be given the option to put their name on a wait list according to their draw in the lottery. This wait list will allow students the option of enrollment in the case of an opening during the current school year. In no circumstance will a waitlist carry over to the following school year.

Public random drawing rules, deadlines, dates and times will be communicated in the application form and on the Charter School's website. Public notice for the date and time of the public random drawing will also be posted once the application deadline has passed. The Charter School will also inform parents of all applicants and all interested parties of the rules to be followed during the public random drawing process via mail or email at least two weeks prior to the lottery date.

The Charter School will conduct the lottery in the spring for enrollment in fall of that year should it be necessary.

Element 9: Independent Financial Audit

Governing Law: The manner in which an annual, independent financial audit shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority— California Education Code Section 47605(b)(5)(I)

An annual independent fiscal audit of the books and records of the Charter School will be conducted as required under the Charter Schools Act, section 47605(b)(5)(I) and 47605(m). The books and records of the Charter School and the operating corporation Virtual Preparatory Academy at Wheatland will be kept in accordance with generally accepted accounting principles, and shall 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.

An audit committee will select an independent auditor through a request for proposal format. The auditor will have, at a minimum, a CPA and educational institution audit experience and shall be included by the State Controller's Office 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 a copy of the auditor's findings will be forwarded to the District, the County Superintendent of Schools, the State Controller, and to the CDE by the 15th of December of each year. Within 30 days of providing the completed annual audit, the Head of School, along with the audit committee, will review any audit exceptions or deficiencies and report to the Charter School Board of Directors with recommendations on how to resolve them. The Board will submit a report to the District describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the District along with an anticipated timeline for the same. Audit appeals or requests for summary review shall be submitted to the Education Audit Appeals Panel (“EAAP”) in accordance with applicable law.

The independent fiscal audit of the Charter School is public record to be provided to the public upon request.

Element 10: Suspension/Expulsion Procedures

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

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all students at the Charter School. In creating this policy, the Charter School has reviewed Education Code Section 48900 *et seq.*, which describes the non-charter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* The Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the Charter School's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. Charter School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations. Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

To ensure compliance with federal and state constitutional procedural and substantive due process requirements, the Charter School will provide advance notice of the disciplinary offenses and procedures and students will be afforded the opportunity to respond to charges prior to the imposition of a suspension or expulsion. The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that this Policy and Procedures are available on request at the Principal's office.

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

A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. The Charter School will follow all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an

individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

A. Grounds for Suspension and Expulsion of Students

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

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 or 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 terroristic threats against school officials and/or school property. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school

property, or the personal property of the person threatened or his or her immediate family.

- s) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 - 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 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 creation and transmission originated on or off the school site, 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 Principal or designee's concurrence.

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

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had

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

3. Discretionary Expellable Offenses: Students may be recommended for expulsion 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 or 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 terroristic threats against school officials and/or school property. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
- s) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

- t) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 - 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 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 creation and transmission originated on or off the school site, 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 Principal or designee’s concurrence.

4. Non-Discretionary Expellable Offenses: Students must be recommended for expulsion 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 Principal or designee’s concurrence.

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

The term “firearm” means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or

receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

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

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Principal or the Principal’s designee with the student and his or her parent and, whenever practical, the teacher, supervisor or Charter School employee who referred the student to the Principal or designee.

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

2. Notice to Parents/Guardians

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

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of Expulsion by the Head of School or designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination will be made by the Principal or designee upon either of the following: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

D. Authority to Expel

A student may be expelled either by the Charter School Board following a hearing before it or by the Charter School Board upon the recommendation of an Administrative Panel to be assigned by the Board as needed. The Administrative Panel should consist of at least three members who are certificated and neither a teacher of the pupil or a Board member of the Charter School's governing board. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

E. Expulsion Procedures

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

In the event an Administrative Panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session (complying with all pupil confidentiality rules under FERPA) unless the Pupil makes a written request for a public hearing three (3) days prior to the hearing.

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

1. The date and place of the expulsion hearing;
2. A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;
3. A copy of the Charter School's disciplinary rules which relate to the alleged violation;
4. Notification of the student's or parent/guardian's obligation to provide information about the student's status at the Charter School to any other school district or school to which the student seeks enrollment;
5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
6. The right to inspect and obtain copies of all documents to be used at the hearing;

7. The opportunity to confront and question all witnesses who testify at the hearing;
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

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

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days' notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the entity conducting the expulsion 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 entity 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 entity 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 entity 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 public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

G. Record of Hearing

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

H. Presentation of Evidence

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense. Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Board or Administrative Panel determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

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

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

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

I. Written Notice to Expel

The Head of School or designee, following a decision of the Board to expel, shall send written notice of the decision to expel, including the Board's adopted findings of fact, to the student or parent/guardian. This notice shall also include the following: (a) Notice of the specific offense committed by the student; and (b) 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 Head of School or designee shall send a copy of the written notice of the decision to expel to the authorizer. This notice shall include the following: (a) The student's name; and (b) The specific expellable offense committed by the student.

J. Disciplinary Records

The Charter School shall maintain records of all student suspensions and expulsions at the Charter School. Such records shall be made available to the authorizer upon request.

K. Right to Appeal

In accordance with Education Code Section 47605(b)(5)(J)(iii), a student being expelled or suspended will be provided "oral or written notice of the charges against the pupil," "an explanation of the evidence that supports the charges and an opportunity for the pupil to present his or her side of the story," and/or the opportunity for "a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate." In cases of any non-voluntary removal, the student's parent or guardian will be given written notice of intent to remove the pupil no less than five (5) school days in advance, and the parent/guardian will be given the right to challenge the non-voluntary removal under the same procedures as an expulsion.

L. Expelled Pupils/Alternative Education

Pupils who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence. The Charter School shall work cooperatively with parents/guardians as requested by parents/guardians or by the school district of residence to assist with locating alternative placements during expulsion.

M. Rehabilitation Plans

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

N. Readmission

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

O. Special Procedures for the Consideration of Suspension and Expulsion of Students with Disabilities

1. Notification of District

The Charter School shall immediately notify the District and coordinate the procedures in this policy with the District of 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.

2. Services During Suspension

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP/504 Plan; and receive, as appropriate, a functional behavioral assessment or functional analysis, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting.

3. Procedural Safeguards/Manifestation Determination

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

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

If the Charter School, the parent, and relevant members of the IEP/504 Team determine that either of the above is applicable for the child, the conduct shall be determined to be a manifestation of the child's disability.

If the Charter School, the parent, and relevant members of the IEP/504 Team make the determination that the conduct was a manifestation of the child's disability, the IEP/504 Team shall:

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

If the Charter School, the parent, and relevant members of the IEP/504 Team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a result of the failure to implement the IEP/504 Plan, then the Charter School may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

4. Due Process Appeals

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

Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures.

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

5. Special Circumstances

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

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

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

6. Interim Alternative Educational Setting

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

7. Procedures for Students Not Yet Eligible for Special Education Services

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

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

- a. The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to Charter School supervisory or administrative personnel, or to

one of the child's teachers, that the student is in need of special education or related services.

- b. The parent has requested an evaluation of the child.
- c. The child's teacher, or other Charter School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other Charter School supervisory personnel.

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

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

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

Element 11: Retirement Systems

Governing Law: The manner by which staff members of the Charter Schools will be covered by the State Teachers' Retirement System, the Public Employee's Retirement System, or federal social security. —California Education Code Section 47605(b)(5)(K)

The Charter School will structure its employee compensation plan in a manner that will attract candidates with the necessary skills and experience.

All Charter School employees will participate in the Social Security system and full-time employees will have access to Virtual Preparatory Academy at Wheatland 's 401(k) program.

The Head of School shall coordinate and ensure appropriate arrangements are made for coverage in applicable retirement programs.

Element 12: Public School Attendance Alternatives

Governing Law: The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools. —California Education Code Section 47605(b)(5)(L)

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

Element 13: Employee Return Rights

Governing Law: A description of the rights of any employee of the school district upon leaving the employment of the school district to work in a charter school and of any rights of return to the school district after employment at a charter school—California Education Code Section 47605(b)(5)(M)

No person shall be required to work at the Charter School. Persons employed at the Charter School are not considered employees of the District for any purpose whatsoever. Employees of the District who choose to leave the employment of the District to work at the Charter School will have no automatic rights of return to the District after employment by the Charter School unless specifically granted by the District through a leave of absence or other agreement. Employees of the District who resign from District employment to work at the Charter School and who later wish to return to the District shall be treated the same as any other former District employee seeking reemployment. The Charter School shall not have any authority to confer any rights to return on District employees.

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

Element 14: Dispute Resolution

Governing Law: The procedures to be followed by the Charter School and the entity granting the charter to resolve disputes relating to provisions of the charter—California Education Code Section 47605(b)(5)(N)

Disputes arising from within the Charter School, including all disputes among and between students, staff, parents/guardians, volunteers, advisors, and partner organizations and Board of Directors of the school, shall be resolved by Charter School and the Board of Directors pursuant to policies and procedures developed by the Board of Directors. The District shall not intervene in any such internal disputes without the consent of the Board of Directors and shall refer any complaints or reports regarding such disputes to the chairperson of the Board of Directors or the Head of School for resolution pursuant to the Charter School's policies.

If the District determines that a violation of the Charter or law may have occurred or a problem has arisen related to the operation of the Charter School or the District's oversight obligations, or a dispute otherwise arises between the District and the Charter School, the following procedures shall be followed to resolve the dispute:

1. Should the District determine in writing that the violation or issue in question constitutes a severe and imminent threat to the health or safety of the pupils, it shall not be bound by any portion of this dispute resolution process and may commence revocation proceedings immediately or take action as it deems necessary.
2. If the violation or issue in question does not constitute a severe and imminent threat, the District will provide oral or written notification of the violation or issue. The date that this notice is orally provided or sent shall be the "Notice Date." This notice will constitute the notice required under the provisions of Education Code 47607(d) prior to revocation of a charter. Upon issuance of this notice, a meeting will be scheduled to discuss and possibly resolve the dispute. Both parties must have representatives present at this meeting and under no circumstances will the meeting be held more than ten (10) calendar days after the Notice Date. The District representative at the meeting will be the Superintendent or the Superintendent's designee, and the Charter School representative will be the Virtual Preparatory Academy at Wheatland's Principal. If this meeting fails to resolve the dispute, the Superintendent and the HEAD OF SCHOOL shall meet to jointly identify and agree upon a neutral third-party mediator. The Superintendent and HEAD OF SCHOOL shall develop the format of the mediation session jointly. Mediation shall be held within ninety (90) business days of receipt of the dispute statement. The costs of the mediator shall be split between the District and the Charter School. All timelines and procedures in this dispute resolution procedure may be revised if mutually agreed upon by the District and the Charter School. The HEAD OF SCHOOL and Superintendent may assign a designee(s) for participation herein. If the dispute remains unresolved after mediation, move to step 3.
3. The District shall send written notification to the Charter School setting forth the violation or issue and demanding that it be cured. The Charter School shall have a reasonable amount of time not to exceed thirty (30) calendar days, or such longer period as is agreed

to in writing between both parties, after the date such written notice is sent to cure the violation or issue. All periods of time from the Notice Date through the completion of this formal time given for cure (as well as any time during which any informal attempts at resolution are required of the parties), shall constitute the reasonable cure period required by Education Code Section 47607 prior to revocation of a charter. If the violation or issue is not cured within this time period, the parties will proceed to Step 4.

4. The District may commence revocation of the Charter and/or other appropriate action in accordance with Education Code Section 47607 or applicable law.

The parties shall exchange information as necessary to avoid disputes and assist in curing disputes and shall use their best efforts to resolve disputes between them at the earliest possible time.

Element 15: Closure Procedures

[Designation as public school employer under EERA is included as an Affirmation, pursuant to Educ. Code § 47605(b)(6)]

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

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

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

As applicable, the Charter School will provide parents, students and the District with copies of all appropriate student records and will otherwise assist students in transferring to their next school. 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 Charter School will ask the District to store original records of Charter School students. All records of the Charter School shall be transferred to the District upon School closure. If the District will not or cannot store the records, the Charter School shall work with the County Office of Education to determine a suitable alternative location for storage.

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

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

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

As the Charter School is operated by a non-profit public benefit corporation, should the corporation dissolve with the closure of the Charter 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.

Miscellaneous Provisions

Budgets

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 Section 47605(g)

Financial Reporting

The Charter School shall provide reports to District in accordance with Education Code Section 47604.33 as follows and shall provide additional fiscal reports as requested by the District or County Superintendent of Schools:

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 July 1, an annual update required pursuant to Education Code Section 47606.5.
3. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of the Charter School's annual, independent financial audit report for the preceding fiscal year shall be delivered to the District, State Controller, State Department of Education and County Superintendent of Schools.
4. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
5. By September 15, a final non-audited report from the full prior year. The report submitted to the District shall include an annual statement of all the Charter School's receipts and expenditures for the preceding fiscal year.

Insurance

The Charter School shall acquire and finance general liability, workers compensation, and other necessary insurance of the types and in the amounts required for an enterprise of similar purpose and circumstance and based on District Insurer recommendations. The District Board of Education shall be named as an additional insured on all policies of the Charter School. Prior to opening, the Charter School shall provide evidence of the above insurance coverage to the District.

Administrative Services

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

The board reserves the right to contract with outside services suppliers to assist in the day-to-day management of the Charter School.

Facilities

Governing Law: the facilities to be utilized by the school. The description of facilities to be used by the charter school shall specify where the school intends to locate. – California Education Code Section 47605(g)

Virtual Preparatory Academy at Wheatland will maintain an office space within district boundaries.

Liability Impact on The District

Governing Law: 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 Section 47605(g) and provides information regarding the proposed operation and potential effects of the Charter School on the District.

Civil Liability

A California non-profit public benefit corporation shall operate the Charter School. This corporation is organized and operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code and California Revenue and Taxation Code Section 23701d. The specific purposes for which the corporation is organized are for the operation of a California public charter school for educational services in accordance with the Education Code Section 47600, *et seq.*

Pursuant to Education Code Section 47604(c), an entity that grants a charter to a charter school operated by or as a non-profit public benefit corporation shall not be liable for the debts or obligations of 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 all oversight responsibilities required by law. As stated above in the Governance section, the Articles of Incorporation, bylaws and Conflict of Interest Code are attached as Appendix. The Charter School shall work diligently to assist the District in meeting any and all oversight obligations under the law, including monthly meetings, reporting, or other requested protocol to ensure the District shall not be liable for the operation of the Charter School.

Further, the Charter School and the District shall enter into a memorandum of understanding, wherein the Charter School shall indemnify the District for the actions of the Charter School under this charter.

The corporate bylaws of Charter School shall provide for indemnification of the Charter School's Board of Directors, officers, agents, and employees, and the Charter School will purchase general liability insurance, Directors and Officers insurance, and fidelity bonding to secure against financial risks. The District shall be named an additional insured on the general liability insurance of the Charter School.

As stated above, insurance amounts will be determined by recommendation of the Charter School's insurance company for schools of similar size, location, and student population. The District shall be named an additional insured on the general liability insurance of the Charter School.

The Board of Directors will institute appropriate risk-management practices, including screening of employees, establishing codes of conduct for students, and dispute resolution.

Conclusion

By approving this charter, the Wheatland School District will be fulfilling the intent of the Charter Schools Act of 1992 to improve pupil learning; increase learning opportunities for all pupils with special emphasis on expanded learning opportunities for all pupils who are identified as academically low achieving; create new professional opportunities for teachers; and provide parents and pupils with expanded choices in education and following the directive of law to encourage the creation of charter schools. Additionally, the Charter School and Wheatland School District's partnership will bring added value to District students and the community at large. The Petitioners are eager to work independently, yet cooperatively with the District to set the highest standard for what a charter school should and can be. To this end, the Petitioners pledge to work cooperatively with the District to answer any concerns over this document and to present the District with the strongest possible proposal for approval of a charter term from July 1, 2020 through June 30, 2025.







Appendices

Petition Signatures Teachers

Charter Petition Signatures Teachers

I, Janet Balekian, as lead petitioner, certify that under California Education Code Section 47605(a) the undersigned represent fifty percent (50%) or greater of the number of teachers meaningfully interested in teaching at the charter school.

The undersigned understand that signing the charter petition declares their intention to actively participate in the formation of the school, they are meaningfully interested in teaching at the charter school and that they have been informed of the contents of the charter petition.

Signature	Printed Name	California Credential	Phone number	Signature Date
	Tamara Reynolds	Clear Multiple subject, introductory math and science; ELL	916-605-9705	09/29/2019
	Laura Lothyan	Clear Social Studies; ELL	909-450-1725	09/29/2019
	Roxana Noboa	Clear Foreign Language: Spanish and French	310-802-9506	09/29/2019
	Rebecca Lopez	Music; ELL	626-394-1977	09/29/2019
	Andrea Belcher	Clear Ed Specialist, Mild to Moderate with Autism Authorization; CLAD	310-407-9537	09/29/2019
	Laura Dinnano	English; ELL authorization	619-851-2280	09/29/2019

Bylaws

OF

VIRTUAL PREPARATORY ACADEMY AT WHEATLAND

(A California Nonprofit Public Benefit Corporation)

ARTICLE I

NAME

Section 1. NAME.

The name of this Corporation is Virtual Preparatory Academy at Wheatland.

ARTICLE II

PRINCIPAL OFFICE OF THE CORPORATION

Section 1. PRINCIPAL OFFICE OF THE CORPORATION.

The principal office for the transaction of the activities and affairs of the Corporation is 11856 Balboa Blvd., Suite 423, Granada Hills, State of California. The Board of Directors may change the location of the principal office. Any such change of location must be noted by the Secretary on these bylaws opposite this Section; alternatively, this Section may be amended to state the new location.

Section 2. OTHER OFFICES OF THE CORPORATION.

The Board of Directors may at any time establish branch or subordinate offices at any place or places where the Corporation is qualified to conduct its activities.

ARTICLE III

GENERAL AND SPECIFIC PURPOSES; LIMITATIONS

Section 1. GENERAL AND SPECIFIC PURPOSES.

The purpose of the Corporation is to manage, operate, guide, direct and promote the Virtual Preparatory Academy at Wheatland (“Charter School”), a California public charter school. Also, in the context of these purposes, the Corporation shall not, except to an insubstantial degree, engage in any other activities or exercise of power that do not further the purposes of the Corporation.

The Corporation shall not carry on any other activities not permitted to be carried on by: (a) a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code; or (b) a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code. No substantial part of the activities of the Corporation shall consist of the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distributing of statements) any political campaign on behalf of or in opposition to any candidate for public office.

ARTICLE IV CONSTRUCTION AND DEFINITIONS

Section 1. CONSTRUCTION AND DEFINITIONS.

Unless the context indicates otherwise, the general provisions, rules of construction, and definitions in the California Nonprofit Corporation Law shall govern the construction of these bylaws. Without limiting the generality of the preceding sentence, the masculine gender includes the feminine and neuter, the singular includes the plural, and the plural includes the singular, and the term “person” includes both a legal entity and a natural person.

ARTICLE V DEDICATION OF ASSETS

Section 1. DEDICATION OF ASSETS.

The Corporation’s assets are irrevocably dedicated to public benefit purposes as set forth in the charter governing the charter schools operated as or by the Corporation. No part of the net earnings, properties, or assets of the Corporation, on dissolution or otherwise, shall inure to the benefit of any private person or individual, or to any director or officer of the Corporation. On liquidation or dissolution, all properties and assets remaining after payment, or provision for payment, of all debts and liabilities of the Corporation shall be distributed to a nonprofit fund, foundation, corporation or association which is organized and operated exclusively for educational, public or charitable purposes and which has established its tax exempt status under Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose.

ARTICLE VI CORPORATION WITHOUT MEMBERS

Section 1. CORPORATION WITHOUT MEMBERS.

The Corporation shall have no voting members within the meaning of the Nonprofit Corporation Law.

ARTICLE VII BOARD OF DIRECTORS

Section 1. GENERAL POWERS.

Subject to the provisions and limitations of the California Nonprofit Public Benefit Corporation Law and any other applicable laws, and subject to any limitations of the articles of incorporation or bylaws, the Corporation's activities and affairs shall be managed, and all corporate powers shall be exercised, by or under the direction of the Board of Directors ("Board").

Section 2. SPECIFIC POWERS.

Without prejudice to the general powers set forth in Section 1 of this article, but subject to the same limitations, the Board of Directors shall have the power to:

- Appoint and remove, at the pleasure of the Board of Directors, all corporate officers, agents, and employees; prescribe powers and duties for them as are consistent with the law, the articles of incorporation, and these bylaws; fix their compensation; and require from them security for faithful service.
- Change the principal office or the principal business office in California from one location to another; cause the Corporation to be qualified to conduct its activities in any other state, territory, dependency, or country; conduct its activities in or outside California.
- Borrow money and incur indebtedness on the Corporation's behalf and cause to be executed and delivered for the Corporation's purposes, in the corporate name, promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecations, and other evidences of debt and securities.
- Adopt and use a corporate seal.

Section 3. APPOINTED DIRECTORS AND TERMS.

The number of directors shall be no less than three (3) and no more than seven (7), unless changed by amendments to these bylaws. All directors shall have full voting rights, including any representative appointed by the charter authorizer as consistent with Education Code Section 47604(c). If the charter authorizer designates a representative to serve on the Board of Directors, the Board of Directors may appoint an additional director to ensure an odd number of Board members. All directors, except for the

representative designated by the charter authorizer, shall be appointed by the existing Board of Directors.

Except for the initial Board of Directors, each director shall hold office unless otherwise removed from office in accordance with these bylaws for three (3) year(s) and until a successor director has been designated and qualified. Terms for the initial Board of Directors shall be three (3) seats for a term of three (3) years and two (2) seats for a term of two (2) years. The initial Board of Directors shall be as follows:

DIRECTOR'S NAME EXPIRATION OF TERM

Section 4. RESTRICTION ON INTERESTED PERSONS AS DIRECTORS.

No persons serving on the Board of Directors may be interested persons. An interested person is (a) any person currently being compensated by the Corporation for services rendered to it within the previous 12 months, whether as a full-time or part-time employee, independent contractor, or otherwise, excluding any reasonable compensation paid to a director as director; and (b) any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, or father-in-law of such person. The Board may adopt other policies circumscribing potential conflicts of interest.

Section 5. DIRECTORS' TERMS.

Each director shall hold office unless otherwise removed from office in accordance with these bylaws for three (3) years and until a successor director has been designated and qualified.

Section 6. NOMINATIONS BY COMMITTEE.

The President of the Board of Directors will appoint a committee to designate qualified candidates for election to the Board of Directors at least thirty (30) days before the date of any election of directors. The nominating committee shall make its report at least seven (7) days before the date of such

designation or at such other time as the Board of Directors may set and the Secretary shall forward to each Board member, with the notice of meeting required by these bylaws, a list of all candidates nominated by committee.

Section 7. EVENTS CAUSING VACANCIES ON BOARD.

A vacancy or vacancies on the Board of Directors shall occur in the event of (a) the death, resignation, or removal of any director; (b) the declaration by resolution of the Board of Directors of a vacancy in the office of a director who has been convicted of a felony, declared of unsound mind by a court order, or found by final order or judgment of any court to have breached a duty under California Nonprofit Public Benefit Corporation Law, Chapter 2, Article 3; or (c) the increase of the authorized number of directors.

Section 8. RESIGNATION OF DIRECTORS.

Except as provided below, any director may resign by giving written notice to the President of the Board, or the Secretary, or to the Board. The resignation shall be effective when the notice is given unless the notice specifies a later time for the resignation to become effective. If a director's resignation is effective at a later time, the Board of Directors may elect a successor to take office as of the date when the resignation becomes effective.

Section 9. DIRECTOR MAY NOT RESIGN IF NO DIRECTOR REMAINS.

Except on notice to the California Attorney General, no director may resign if the Corporation would be left without a duly elected director or directors.

Section 10. REMOVAL OF DIRECTORS.

Any director, except for the representative appointed by the charter authorizer, may be removed, with or without cause, by the vote of the majority of the members of the entire Board of Directors at a special meeting called for that purpose, or at a regular meeting, provided that notice of that meeting and such removal are given in compliance with the provisions of the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Division 2 of Title 5 of the Government Code) as said chapter may be modified by subsequent legislation ("Brown Act"). The representative designated by the charter authorizer may be removed without cause by the charter authorizer or with the written consent of the charter authorizer. Any vacancy caused by the removal of a director shall be filled as provided in Section 12.

Section 11. VACANCIES FILLED BY BOARD.

Vacancies on the Board of Directors, except for the representative appointed by the charter authorizer,

may be filled by approval of the Board of Directors or, if the number of directors then in office is less than a quorum, by (a) the affirmative vote of a majority of the directors then in office at a regular or special meeting of the Board, or (b) a sole remaining director. A vacancy in the seat of the representative of the charter authorizer shall be filled by the charter authorizer.

Section 12. NO VACANCY ON REDUCTION OF NUMBER OF DIRECTORS.

Any reduction of the authorized number of directors shall not result in any directors being removed before his or her term of office expires.

Section 13. PLACE OF BOARD OF DIRECTORS MEETINGS.

Meetings shall be held at the principal office of the Corporation unless the Board of Directors designates another location in accordance with these bylaws. The Board of Directors may also designate that a meeting be held at any place within the physical boundaries of the county in which the greatest number of pupils who are enrolled in the Charter School reside, effective January 1, 2020. All meetings of the Board of Directors shall be called, held and conducted in accordance with the terms and provisions of the Brown Act. A two-way teleconference location shall be established at each school site and each resourcecenter.

Section 14. MEETINGS; ANNUAL MEETINGS.

All meetings of the Board of Directors and its committees shall be called, noticed, and held in compliance with the provisions of the Brown Act. The Board of Directors shall meet annually for the purpose of organization, appointment of officers, and the transaction of such other business as may properly be brought before the meeting. This meeting shall be held at a time, date, and place as noticed by the Board of Directors in accordance with the Brown Act.

Section 15. REGULAR MEETINGS.

Regular meetings of the Board of Directors, including annual meetings, shall be held at such times and places as may from time to time be fixed by the Board of Directors. At least 72 hours before a regular meeting, the Board of Directors, or its designee shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting.

Section 16. SPECIAL MEETINGS.

Special meetings of the Board of Directors for any purpose may be called at any time by the President of the Board of Directors, or a majority of the Board of Directors. If a President of the Board has not been elected, then the Vice President is authorized to call a special meeting in place of the President of the Board. The party calling a special meeting shall determine the place, date,

and time thereof.

Section 17. NOTICE OF SPECIAL MEETINGS.

In accordance with the Brown Act, special meetings of the Board of Directors may be held only after twenty-four (24) hours' notice is given to the public through the posting of an agenda. Directors shall also receive at least twenty- four (24) hours' notice of the special meeting, in the following manner:

Any such notice shall be addressed or delivered to each director at the director's address as it is shown on the records of the Corporation, or as may have been given to the Corporation by the director for purposes of notice, or, if an address is not shown on the Corporation's records or is not readily ascertainable, at the place at which the meetings of the Board of Directors are regularly held.

Notice by mail shall be deemed received at the time a properly addressed written notice is deposited in the United States mail, postage prepaid. Any other written notice shall be deemed received at the time it is personally delivered to the recipient or is delivered to a common carrier for transmission or is actually transmitted by the person giving the notice by electronic means to the recipient. Oral notice shall be deemed received at the time it is communicated, in person or by telephone or wireless, to the recipient or to a person at the office of the recipient whom the person giving the notice has reason to believe will promptly communicate it to the receiver.

The notice of special meeting shall state the time of the meeting, the place, and the general nature of the business proposed to be transacted at the meeting. No business, other than the business the general nature of which was set forth in the notice of the meeting, may be transacted at a special meeting.

Section 18. QUORUM.

A majority of the directors then in office shall constitute a quorum. All acts or decisions of the Board of Directors will be by majority vote of the directors in attendance, based upon the presence of a quorum. Should there be less than a majority of the directors present at the inception of any meeting, the meeting shall be adjourned. Directors may not vote by proxy. The vote or abstention of each Board member present for each action taken shall be publicly reported.

Section 19. TELECONFERENCE MEETINGS.

Members of the Board of Directors may participate in teleconference meetings so long as all of the following requirements in the Brown Act are complied with:

At a minimum, a quorum of the members of the Board of Directors shall participate in the teleconference meeting from locations within the physical boundaries of the county in which the greatest number of pupils who are enrolled in the Charter School reside, effective January 1, 2020;

All votes taken during a teleconference meeting shall be by roll call;

If the Board of Directors elects to use teleconferencing, it shall post agendas at all teleconference locations with each teleconference location being identified in the notice and agenda of the meeting;

All locations where a member of the Board of Directors participates in a meeting via teleconference must be fully accessible to members of the public and shall be listed on the agenda;¹

Members of the public must be able to hear what is said during the meeting and shall be provided with an opportunity to address the Board of Directors directly at each teleconference location; and

Members of the public attending a meeting conducted via teleconference need not give their name when entering the conference call.²

Section 20. ADJOURNMENT.

A majority of the directors' present, whether or not a quorum is present, may adjourn any Board of Directors meeting to another time or place. Notice of such adjournment to another time or place shall be given, prior to the time scheduled for the continuation of the meeting, to the directors who were not present at the time of the adjournment, and to the public in the manner prescribed by the Brown Act.

Section 21. COMPENSATION AND REIMBURSEMENT.

Directors may not receive compensation for their services as directors or officers, only such reimbursement of expenses as the Board of Directors may establish by resolution to be just and reasonable as to the Corporation at the time that the resolution is adopted.

Section 22. CREATION AND POWERS OF COMMITTEES.

The Board, by resolution adopted by a majority of the directors then in office, may create one or more committees of the Board, each consisting of two or more directors and no one who is not a director, to serve at the pleasure of the Board. Appointments to committees of the Board of Directors shall be

by majority vote of the directors then in office. The Board of Directors may appoint one or more directors as alternate of any such committee, who may replace any absent member at any meeting. Any such committee shall have all the authority of the Board, to the extent provided in the Board of Directors' resolution, except that no committee may:

- Fill vacancies on the Board of Directors or any committee of the Board;
- Amend or repeal bylaws or adopt new bylaws;
- Amend or repeal any resolution of the Board of Directors that by its express terms is not so amendable or subject to repeal; or
- Create any other committees of the Board of Directors or appoint the members of committees of the Board.

The Board may also create one or more advisory committees composed of directors and non-directors. It is the intent of the Board to encourage the participation and involvement of faculty, staff, parents, students and administrators through attending and participating in open committee meetings. The Board may establish, by resolution adopted by a majority of the directors then in office, advisory committees to serve at the pleasure of the Board.

Section 23. MEETINGS AND ACTION OF COMMITTEES.

Meetings and actions of committees of the Board of Directors shall be governed by, held, and taken under the provisions of these bylaws concerning meetings, other Board of Directors' actions, and the Brown Act, if applicable, except that the time for general meetings of such committees and the calling of special meetings of such committees may be set either by Board of Directors' resolution or, if none, by resolution of the committee. Minutes of each meeting shall be kept and shall be filed with the corporate records. The Board of Directors may adopt rules for the governance of any committee as long as the rules are consistent with these bylaws. If the Board of Directors has not adopted rules, the committee may do so.

Section 24. NON-LIABILITY OF DIRECTORS.

No director shall be personally liable for the debts, liabilities, or other obligations of the Corporation.

Section 25. COMPLIANCE WITH LAWS GOVERNING STUDENT RECORDS.

The Charter School and the Board of Directors shall comply with all applicable provisions of the Family Education Rights Privacy Act (“FERPA”) as set forth in Title 20 of the United States Code Section 1232g and attendant regulations as they may be amended from time to time.

ARTICLE VIII OFFICERS OF THE CORPORATION

Section 1. OFFICES HELD.

The officers of the Corporation shall be a President, Vice President, a Secretary, a Chief Financial Officer, and Superintendent/Head of Schools. The officers, in addition to the corporate duties set forth in this Article VIII, shall also have administrative duties as set forth in any applicable contract for employment or job specification.

Section 2. DUPLICATION OF OFFICE HOLDERS.

Any number of offices may be held by the same person, except that neither the Secretary nor the Chief Financial Officer may serve concurrently as either the President or the Superintendent/Head of Schools.

Section 3. ELECTION OF OFFICERS.

The officers of the Corporation shall be chosen annually by the Board of Directors and shall serve at the pleasure of the Board, subject to the rights of any officer under any employment contract.

Section 4. REMOVAL OF OFFICERS.

Without prejudice to the rights of any officer under an employment contract, the Board of Directors may remove any officer with or without cause.

Section 5. RESIGNATION OF OFFICERS.

Any officer may resign at any time by giving written notice to the Board. The resignation shall take effect on the date the notice is received or at any later time specified in the notice. Unless otherwise specified in the notice, the resignation need not be accepted to be effective. Any resignation shall be without prejudice to any rights of the Corporation under any contract to which the officer is a party.

Section 6. VACANCIES IN OFFICE.

A vacancy in any office because of death, resignation, removal, disqualification, or any other cause shall

be filled in the manner prescribed in these bylaws for normal appointment to that office, provided, however, that vacancies need not be filled on an annual basis.

Section 7. PRESIDENT OF THE BOARD.

If a President of the Board of Directors is elected, he or she shall preside at the Board of Directors' meetings and shall exercise and perform such other powers and duties as the Board of Directors may assign from time to time. If a President of the Board of Directors is elected, there shall also be a Vice President of the Board of Directors. In the absence of the President, the Vice President shall preside at Board of Directors meetings and shall exercise and perform such other powers and duties as the Board of Directors may assign from time to time.

Section 8. SUPERINTENDENT/HEAD OF SCHOOLS.

The Superintendent/Head of Schools shall be the general manager of the Corporation and shall supervise, direct, and control the Corporation's activities, affairs, and officers as fully described in any applicable employment contract, agreement, or job specification. The Superintendent/Head of Schools shall have such other powers and duties as the Board of Directors, or the bylaws may require.

Section 9. SECRETARY.

The Secretary shall keep or cause to be kept, at the Corporation's principal office or such other place as the Board of Directors may direct, a book of minutes of all meetings, proceedings, and actions of the Board and of committees of the Board. The minutes of meetings shall include the time and place that the meeting was held; whether the meeting was annual, regular, special, or emergency and, if special or emergency, how authorized; the notice given; the names of the directors present at Board of Directors and committee meetings; and the vote or abstention of each Board member present for each action taken.

The Secretary shall keep or cause to be kept, at the principal California office, a copy of the articles of incorporation and bylaws, as amended to date.

The Secretary shall give, or cause to be given, notice of all meetings of the Board and of committees of the Board of Directors that these bylaws require to be given. The Secretary shall keep the corporate seal, if any, in safe custody and shall have such other powers and perform such other duties as the Board of Directors or the bylaws may require.

Section 10. CHIEF FINANCIAL OFFICER.

The Chief Financial Officer shall keep and maintain, or cause to be kept and maintained, adequate and correct books and accounts of the Corporation's properties and transactions. The Chief Financial Officer shall send or cause to be given to directors such financial statements and reports as are required to be

given by law, by these bylaws, or by the Board. The books of account shall be open to inspection by any director at all reasonable times.

The Chief Financial Officer shall (a) deposit, or cause to be deposited, all money and other valuables in the name and to the credit of the Corporation with such depositories as the Board of Directors may designate; (b) disburse the Corporation's funds as the Board of Directors may order; (c) render to the President and the Board, when requested, an account of all transactions as Chief Financial Officer and of the financial condition of the Corporation; and (d) have such other powers and perform such other duties as the Board, contract, job specification, or the bylaws may require.

If required by the Board, the Chief Financial Officer shall give the Corporation a bond in the amount and with the surety or sureties specified by the Board of Directors for faithful performance of the duties of the office and for restoration to the Corporation of all of its books, papers, vouchers, money, and other property of every kind in the possession or under the control of the Chief Financial Officer on his or her death, resignation, retirement, or removal from office.

ARTICLE IX CONTRACTS WITH DIRECTORS

Section 1. CONTRACTS WITH DIRECTORS.

The Corporation shall not enter into a contract or transaction in which a director directly or indirectly has a material financial interest (nor shall the Corporation enter into any contract or transaction with any other corporation, firm, association, or other entity in which one or more of the Corporation's directors are directors and have a material financial interest). Pursuant to Education Code section 47604.1 (effective Jan. 1, 2020), notwithstanding Article 4 (commencing with Section 1090) of Chapter 1 of Division 4 of Title 1 of the Government Code, an employee of a charter school shall not be disqualified from serving as a member of the governing body of the charter school because of that employee's employment status. A member of the governing body of a charter school who is also an employee of the charter school shall abstain from voting on, or influencing or attempting to influence another member of the governing body regarding, all matters uniquely affecting that member's employment.

ARTICLE X

CONTRACTS WITH NON-DIRECTOR DESIGNATED EMPLOYEES

Section 1. CONTRACTS WITH NON-DIRECTOR DESIGNATED EMPLOYEES.

The Corporation shall not enter into a contract or transaction in which a non-director designated

employee (e.g., officers and other key decision-making employees) directly or indirectly has a material financial interest unless all of the requirements in the Corporation's Conflict of Interest Code have been fulfilled.

ARTICLE XI

LOANS TO DIRECTORS AND OFFICERS

Section 1. LOANS TO DIRECTORS AND OFFICERS.

The Corporation shall not lend any money or property to or guarantee the obligation of any director or officer; provided, however, the Corporation may advance money to a director or officer of the Corporation for expenses reasonably anticipated to be incurred in the performance of his or her duties if that director or officer would be entitled to reimbursement for such expenses of the Corporation.

ARTICLE XII INDEMNIFICATION

Section 1. INDEMNIFICATION.

To the fullest extent permitted by law, the Corporation shall indemnify its directors, officers, employees, and other persons described in Corporations Code Section 5238(a), including persons formerly occupying any such positions, against all expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred by them in connection with any "proceeding," as that term is used in that section, and including an action by or in the right of the Corporation by reason of the fact that the person is or was a person described in that section. "Expenses," as used in this bylaw, shall have the same meaning as in that section of the Corporations Code.

On written request to the Board of Directors by any person seeking indemnification under Corporations Code Section 5238 (b) or Section 5238 (c) the Board of Directors shall promptly decide under Corporations Code Section 5238 (e) whether the applicable standard of conduct set forth in Corporations Code Section 5238 (b) or Section 5238 (c) has been met and, if so, the Board of Directors shall authorize indemnification.

ARTICLE XIII INSURANCE

Section 1. INSURANCE.

The Corporation shall have the right to purchase and maintain insurance to the full extent permitted by law on behalf of its directors, officers, employees, and other agents, to cover any liability asserted against

or incurred by any director, officer, employee, or agent in such capacity or arising from the director's, officer's, employee's, or agent's status as such.

ARTICLE XIV MAINTENANCE OF CORPORATE RECORDS

Section 1. MAINTENANCE OF CORPORATE RECORDS.

The Corporation shall keep:

- Adequate and correct books and records of account;
- Written minutes of the proceedings of the Board and committees of the Board; and
- Such reports and records as required bylaw.

ARTICLE XV INSPECTION RIGHTS

Section 1. DIRECTORS' RIGHT TO INSPECT.

Every director shall have the right at any reasonable time to inspect the Corporation's books, records, documents of every kind, physical properties, and the records of each subsidiary, as permitted by California and federal law. This right to inspect may be circumscribed in instances where the right to inspect conflicts with California or federal law (e.g., restrictions on the release of educational records under FERPA) pertaining to access to books, records, and documents. The inspection may be made in person or by the director's agent or attorney. The right of inspection includes the right to copy and make extracts of documents as permitted by California and federal law.

Section 2. MAINTENANCE AND INSPECTION OF ARTICLES AND BYLAWS.

The Corporation shall keep at its principal California office the original or a copy of the articles of incorporation and bylaws, as amended to the current date, which shall be open to inspection by the directors at all reasonable times during office hours.

ARTICLE XVI REQUIRED REPORTS

Section 1. ANNUAL REPORTS.

The Board of Directors shall cause an annual report to be sent to itself (the members of the Board of Directors) within 120 days after the end of the Corporation's fiscal year. That report shall contain the following information, in appropriate detail:

- The assets and liabilities, including the trust funds, or the Corporation as of the end of the fiscal year;
- The principal changes in assets and liabilities, including trust funds;
- The Corporation's revenue or receipts, both unrestricted and restricted to particular purposes;
- The Corporation's expenses or disbursement for both general and restricted purposes;
- Any information required under these bylaws; and
- An independent accountant's report or, if none, the certificate of an authorized officer of the Corporation that such statements were prepared without audit from the Corporation's books and records.

Section 2. ANNUAL STATEMENT OF CERTAIN TRANSACTIONS AND INDEMNIFICATIONS. The Corporation will comply with Corporations Code section 6322.

ARTICLE XVII BYLAW AMENDMENTS

Section 1. BYLAW AMENDMENTS.

The Board of Directors may adopt, amend or repeal any of these bylaws by a majority vote of the directors present at a meeting duly held at which a quorum is present, except that no amendment shall change any provisions of any charter governing any charter school operated as or by the Corporation or make any provisions of these bylaws inconsistent with such charter, the Corporation's articles of incorporation, or any laws.

ARTICLE XVIII FISCAL YEAR

Section 1. FISCAL YEAR OF THE CORPORATION. The fiscal year of the Corporation shall begin on July 1st and end on June 30th of each year.

CERTIFICATE OF SECRETARY

I certify that I am the duly elected and acting Secretary of Virtual Preparatory Academy at Wheatland , a California nonprofit public benefit corporation; that these bylaws, consisting of 13 pages, are the bylaws of the Corporation as adopted by the Board of Directors on _____; and that these bylaws have not been amended or modified since that date.

Executed on _____ at _____, California.

Date:

Signature _____, Secretary

Printed Name: _____

Five Year Proposed Budget SB 740 Compliance

Virtual Preparatory Academy - Budget

		Virtual Preparatory Academy at Antelope Valley	Start Up	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Account Codes		A. REVENUES						
8000-8099	1. LCFF Sources							
8011		State Aid - Current Year	0	2,094,183	2,531,597	3,049,626	3,634,862	4,396,474
8012		Education Protection Account State Aid - Current Year	0	49,800	60,200	72,400	86,400	104,400
8019		State Aid - Prior Years	0	0	0	0	0	0
8096		Transfers to Charter Schools in Lieu of Property Taxes	0	0	0	0	0	0
8091		Other LCFF Transfers	0	0	0	0	0	0
8097		Other LCFF Transfers	0	0	0	0	0	0
8000-8099	Total 1. LCFF Sources		0	2,143,983	2,591,797	3,122,026	3,721,262	4,500,874
8100-8299	2. Federal Revenues							
8290		NCLB/ESSA	0	0	0	0	0	0
8181		Special Education - Federal	0	0	0	0	0	0
8182		Special Education - Federal	0	0	0	0	0	0
8220		Child Nutrition - Federal	0	0	0	0	0	0
8221		Donated Food Commodities	0	0	0	0	0	0
8110		Other Federal Revenues	0	0	0	0	0	0
8290		Other Federal Revenues	0	0	0	0	0	0
8100-8299	Total 2. Federal Revenues		0	0	0	0	0	0
8300-8599	3. Other State Revenues							
StateRevSE		Special Education - State	0	124,500	150,500	181,000	216,000	261,000
StateRevAO		All Other State Revenues	0	0	0	0	0	0
8300-8599	Total 3. Other State Revenues		0	124,500	150,500	181,000	216,000	261,000
8600-8999	4. Other Local Revenues							
LocalRevAO		All Other Local Revenues	175,018	162,650	0	0	0	0
8600-8999	Total 4. Other Local Revenues		175,018	162,650	0	0	0	0
5. TOTAL REVENUES			175,018	2,431,133	2,742,297	3,303,026	3,937,262	4,761,874
B. EXPENDITURES								
1000	Instruction							

Virtual Preparatory Academy - Budget

Virtual Preparatory Academy at Antelope Valley		Start Up	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
1100-1999	1. Certificated Salaries						
1100	Certificated Teachers' Salaries	5,500	663,600	828,822	1,033,114	1,281,271	1,610,786
1200	Certificated Pupil Support Salaries	5,500	66,000	69,384	72,941	76,681	161,225
1300	Certificated Supervisors' and Administrators' Salaries	10,167	122,000	128,255	134,831	141,744	149,011
1900	Other Certificated Salaries	0	0	0	0	0	0
1100-1999	Total 1. Certificated Salaries	21,167	851,600	1,026,461	1,240,886	1,499,696	1,921,022
2100-2999	2. Noncertificated Salaries						
2100	Noncertificated Instructional Salaries	0	0	0	0	0	0
2200	Noncertificated Support Salaries	0	0	0	0	0	0
2300	Noncertificated Supervisors' and Administrators' Salaries	0	0	0	0	0	0
2400	Clerical, Technical and Office Salaries	6,667	80,000	84,102	88,414	92,947	146,568
2900	Other Noncertificated Salaries	0	0	0	0	0	0
2100-2999	Total 2. Noncertificated Salaries	6,667	80,000	84,102	88,414	92,947	146,568
3100-3999	3. Employee Benefits						
3101	STRS	0	0	0	0	0	0
3102	STRS	0	0	0	0	0	0
3201	PERS	0	0	0	0	0	0
3202	PERS	0	0	0	0	0	0
3301	OASDI/Medicare/Alternative	1,619	65,147	78,524	94,928	121,126	153,686
3302	OASDI/Medicare/Alternative	510	6,120	6,434	6,764	7,110	11,212
3401	Health and Welfare Benefits	2,096	84,308	101,620	122,848	156,751	198,887
3402	Health and Welfare Benefits	660	7,920	8,326	8,753	9,202	14,510
3501	Unemployment Insurance	318	12,774	15,397	18,613	23,750	30,134
3502	Unemployment Insurance	100	1,200	1,262	1,326	1,394	2,199
3601	Workers' Compensation Insurance	159	6,387	7,698	9,307	11,875	15,067
3602	Workers' Compensation Insurance	50	600	631	663	697	1,099
3701	OPEB, Allocated	0	0	0	0	0	0
3702	OPEB, Allocated	0	0	0	0	0	0
3751	OPEB, Active Employees	0	0	0	0	0	0
3752	OPEB, Active Employees	0	0	0	0	0	0
3901	Other Employee Benefits	847	34,064	41,058	49,635	63,334	80,359

Virtual Preparatory Academy - Budget

Virtual Preparatory Academy at Antelope Valley		Start Up	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
3902	Other Employee Benefits	267	3,200	3,364	3,537	3,718	5,863
3100-3999	Total 3. Employee Benefits	6,624	221,721	264,314	316,373	398,958	513,017
4100-4999	4. Books and Supplies						
4100	Approved Textbooks and Core Curricula Materials	0	87,150	105,350	126,700	151,200	182,700
4200	Books and Other Reference Materials	0	12,450	15,431	19,028	23,282	28,845
4300	Materials and Supplies	0	6,225	7,715	9,514	11,641	14,422
4400	Noncapitalized Equipment	0	102,190	85,381	104,622	128,457	158,117
4700	Food	0	0	0	0	0	0
4100-4999	Total 4. Books and Supplies	0	208,015	213,878	259,864	314,581	384,085
5100-5999	5. Services and Other Operating Expenditures						
5100	Subagreements for Services	7,789	929,421	927,672	1,075,127	1,267,540	1,515,062
5200	Travel and Conferences	0	14,940	18,517	22,834	27,939	34,614
5300	Dues and Memberships	250	3,000	3,076	3,154	3,234	3,316
5400	Insurance	1,333	16,000	16,405	16,820	17,246	17,683
5500	Operations and Housekeeping Services	100	1,200	1,230	1,262	1,293	1,326
5600	Rentals, Leases, Repairs, and Noncap. Improvements	600	7,200	7,382	7,569	7,761	7,957
5700	Transfers of Direct Costs	0	0	0	0	0	0
5799	Transfers of Direct Costs	0	0	0	0	0	0
5800	Professional/Consulting Services and Operating Expenditures	50,154	57,036	62,712	69,666	77,120	87,207
5900	Communications	2,333	28,000	28,709	29,436	30,181	30,945
5100-5999	Total 5. Services and Other Operating Expenditures	62,560	1,056,797	1,065,704	1,225,867	1,432,314	1,698,109
6100-6999	6. Capital Outlay						

Virtual Preparatory Academy - Budget

Virtual Preparatory Academy at Antelope Valley		Start Up	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
6100	Land and Land Improvements	0	0	0	0	0	0
6100-6500 <i>modified</i>	Land and Land Improvements	0	0	0	0	0	0
6200 <i>accrual</i>	Buildings and Improvements of Buildings	0	0	0	0	0	0
6300 <i>basis only</i>	Books and Media for New School Libraries or Major Expansion of School Libraries	0	0	0	0	0	0
6400	Equipment	3,000	13,000	2,051	3,154	3,234	5,526
6500	Equipment Replacement	0	0	0	3,154	14,012	2,210
6900	Depreciation Expnse (accrual basis only) Total, Capital Outlay	0	0	0	0	0	0
6100-6999	Total 6. Capital Outlay	3,000	13,000	2,051	6,308	17,246	7,736
7100-7999	7. Other Outgo						
7110	Tuition to Other Schools	0	0	0	0	0	0
7211	Transfers of Pass-Through Revenues to Other LEAs	0	0	0	0	0	0
7221SE	Transfers of Apportionments to Other LEAs - Special Education	0	0	0	0	0	0
7221AO	Transfers of Apportionments to Other LEAs - All Other	0	0	0	0	0	0
7281	All Other Transfers	0	0	0	0	0	0
7300	Transfers of Indirect Costs	0	0	0	0	0	0
7438	Debt Service: Interest	0	0	0	15,113	10,048	4,983
7439	Debt Service: Principal (for modified accrual basis only)	0	0	0	84,417	84,417	84,417
7100-7999	Total 7. Other Outgo	0	0	0	99,530	94,465	89,400
8. TOTAL EXPENDITURES		100,018	2,431,133	2,656,509	3,237,241	3,850,205	4,759,937
C. EXCESS (DEFICIENCY OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5-A8))		75,000	0	85,788	65,785	87,057	1,937
D. OTHER FINANCING SOURCES/USES							
8979	1. Other Sources	0	0	0	0	0	0
7699	2. Less: Other Uses	0	0	0	0	0	0
8980	β. Contributions between Unrestricted and Restricted Accounts	0	0	0	0	0	0
4. TOTAL OTHER FINANCING SOURCES/USES		0	0	0	0	0	0

Virtual Preparatory Academy - Budget

Virtual Preparatory Academy at Antelope Valley	Start Up	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
E. NET INCREASE (DECREASE) IN FUND BALANCE/NET POSITION (C + D4)	75,000	0	85,788	65,785	87,057	1,937
F. FUND BALANCE	75,000	75,000	160,788	226,573	313,629	315,567

Virtual Preparatory Academy - Budget Ratios

Reserve Percentages	3.08%	5.86%	6.86%	7.97%	6.63%
Percentage of Revenues that go to the Instructional Program	83%	82%	82%	83%	87%
Numerators:	2,017,171	2,256,962	2,695,772	3,281,466	4,162,437
Denominators:	2,431,133	2,742,297	3,303,026	3,937,262	4,761,874
Percent of Instructional Program spent on Instructional Compensation	65%	68%	69%	69%	69%
Numerators:	1,054,281	1,270,759	1,536,217	1,876,532	2,399,156
Denominators:	2,017,171	2,256,962	2,695,772	3,281,466	4,162,437

Numerator: Certificated Salaries, Non-Certificated Salaries, Employee Benefits, Books and Supplies, Conferences, Student Technology, Field Trips, Community College, SPED Direct Services, Instructional Services, SELFA ELL, ISP Access, Staff Technology Purchases, Staff Technology Replacement, Student Support

Denominator: Total Revenues

Numerator: Certificated Salaries and Employee Benefits (Certificated only)

Denominator: Certificated Salaries, Non-Certificated Salaries, Employee Benefits, Books and Supplies, Conferences, Staff Technology, Field Trips, Community College, SPED Direct Services, Accel Instructional Services, SELFA ELL, ISP Access, Staff Technology Purchases, Staff Technology Replacement, Student Support

10/03/2019