

Charter School Name: New Joseph Bonnheim Community Charter School
 Petitioner Response Submission Date: February, 22, 2019

Lead Petitioner agrees that the Resolutions provided below in response to the SCUSD written evaluation will supersede all related provisions in the originally submitted petition.
 Additionally, Lead Petitioner agrees that the Resolutions provided below will be incorporated as an addendum to the originally submitted petition.

Name: Christie Wells-Artman Date: February, 20, 2019

Signature: *Christie Wells-Artman*

Concern #	Concern Title	Petition/A Appendix Page	Resolution	Support Document Page, if any
1.a.	Lack of a Reasonably Comprehensive Description of New Requirements of Charter Schools		Please see support documentation page regarding resolution of AB 1360. "An act to amend Sections 47605 and 47605.6 of the Education Code", relating to charter schools.	Appendix 1. a
1.b.	Inadequate Consideration for Scholars with Disabilities		Please see the support documentation that has a greater emphasis on how NIB will incorporate students with disabilities into the curriculum and educational program.	Appendix 1. b
2.a.	Nondiscrimination		New Joseph Bonnheim recognizes and is committed to include a clear assurance that the charter school will not discriminate on the basis of religion.	
3.a (i.)	Technology		Please see the support documentation page regarding technology and adaptive technology.	Appendix 3.a (i.)
3.a (ii.)	Specific Annual Goals for Each Subgroup of Pupils		Please see supported document that includes not only annual goals for all students but also "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 ... " (Ed. Code, § 47605, subd. (b)(5)(A)(ii).) The subgroups include: ethnic subgroups, socio-economic disadvantaged pupils, English learners, pupils with disabilities, and foster youth. (Ed. Code, § 52052 (a)(2)(A-E).)	Appendix 3.a (ii.)
3.b.	Governance		Due to the district board being the ultimate governance of NIB, it is our clear understanding that all Form 700's of each board member reside with district's legal legal council. Steering Committee members will provide Form 700's upon request of the district, if needed.	

3.c.	Employee Qualifications		<p>New Joseph Bonnheim understands and will follow the collective bargaining contract, negotiations, and district's job description duties in relating to the School Nurse and Counselor position. In regards to the Principal selection process, the renewal charter follows the district's collective bargaining hiring process of selecting a principal which ensures the district representative and Superintendent are included in the process listed below:</p> <p>Tier I: The responsible segment administrator will establish a Tier I school site interview panel, consisting of representatives from site/central administration, teachers, classified employees, parents, and the community. The panel will recommend at least four candidates, if available, to move forward to the next level.</p> <p>Tier II: The responsible segment administrator will coordinate the Tier II site Steering Committee interview panel consisting of the Steering Committee members. The panel will recommend at least three candidates, if available, to move forward to the next level.</p> <p>Steering Committee reserves the right to restrain from moving any candidates forward if they feel none meet the needs of the school.</p> <p>Tier III: The Superintendent completes a final review of the candidates for recommendation to the board of Education. The Board receives the recommendation put forth by the Superintendent and acts on the final candidate appointment.</p>	
3.d.	Health and Safety	(Renewal Petition, p. 99.)	<p>NJB has adopted the district requirements in a timely manner, provides training to staff, and implements drills in coordination of school safety plan. The comprehensive safety plan is attached in the charter renewal petition appendices, and uploaded to Rapid Responder and approved, per district requirements. Additionally, school staff is trained yearly in the beginning of the academic school year on emergency preparedness procedures, which includes how to evacuate students with disabilities safely. An updated training is conducted again in March every year. NJB is committed to include input and recommendations from the local fire department and first responder entities, as stated in AB 1747. NJB is committed to updating its school safety plan each year in March. NJB will hold additional earthquake drills required (1 per quarter, 4 total) and will be completed for the 2018-2019 on the following remaining drill dates: March 7, 2019, May 1, 2019, and June 12th, 2019. NJB is committed to holding earthquake drills (1 per quarter, 4 total) will occur as frequently as the law requires.</p>	
3.e.	Admission Requirements		<p>New Joseph Bonnheim recognizes and will adhere to a public hearing to be held for any change to the Charter School's admission preferences.</p>	
3.f.	Financial		<p>New Joseph Bonnheim has provided the cash flow and financial projections for at least three (3) years. Please see support documentation. New Joseph Bonnheim Charter School will seek and proactively work with the District to successfully apply for cost-savings measures. NJB recognizes that any use of outside providers must comply with the law and with the collective bargaining agreement and is committed to complying with the law and collective bargaining agreements.</p>	Appendix 3.f.

3.g.	Suspension and Expulsion Procedures		<p>Per the support documentation attached, New Joseph Bonnheim has included a clear statement of the procedural and due process rights for suspension expulsion, and involuntary removal of a student.</p> <p>New Joseph Bonnheim is clarifying the renewal petition with a clear statement in regards to Counseling Out Scholars: "<u>NJB does not participate in counseling out scholars of school.</u> It is not a practice as the charter seeks to keep all scholars."</p> <p>New Joseph Bonnheim understands and is committed to ensure the appropriate use of law enforcement to control student behavior.</p> <p>Please see Support Documentation Page "Suspension and Expulsion Procedures", with changes to suspension procedures and processes.</p> <p>New Joseph Bonnheim is committed to include the Sacramento County Office of Education and the charter school's vendors to receive notifications in the event the charter school closes.</p>	Appendix 3.g.
3.h.	Procedures for School Closure		<p>New Joseph Bonnheim recognizes it incorrectly referenced the charter school will have a memorandum of understanding ("MOU") with the District and is committed to include a clear assurance that the charter school will not have an MOU.</p>	
4. (not 3)	Impact on District			

Appendix 1. a

Comprehensive Description of New Requirements of Charter Schools: AB 1360

Charter School Admissions Preferences:

AB 1360 clarifies that admissions preferences may be permitted by charter school authorizers, subject to certain requirements, and expressly provides for the priority order of preferences to be determined in the charter petition. The bill expressly permits authorizer approval of admissions preferences for siblings of students admitted or attending the charter school, as well as children of the charter school's teachers, staff, and founders identified in the initial charter. (Educ. Code 47605(d)(2)(B).). Other admissions preferences must meet the following requirements:

- Preferences must be approved by the charter authorizer at a public hearing;
- Preferences must be consistent with federal law, the California Constitution, and Section 200 of the Education Code, which prohibits discrimination;
- Preferences must not result in limiting enrollment access for students with disabilities, academically low-achieving students, English learners, neglected or delinquent students, homeless students, economically disadvantaged students, foster youth, and must not limit enrollment based on nationality, race, ethnicity, or sexual orientation; and
- Preferences cannot require mandatory parental volunteer hours for continued enrollment in the charter school, consistent with the requires of Education Code Section 49011. (Educ. Code 47605(d)(2)(B)(i-iv).)

In addition, AB 1360 requires that charter petitions include a reasonably comprehensive description of the admissions policies and procedures for the charter school. This requirement is broader than the charter petition requirements under existing law, under which petitions must only describe proposed admissions requirements. (Educ. Code 47605(b)(5)(H).).

Feeder Patterns:

In conjunction with provisions of Every Student Succeeds Act ("ESSA"), charter schools may, with authorizer approval, implement "feeder pattern" admissions preferences. In defining charter schools, the ESSA acknowledges that a charter school with an affiliated charter school may automatically enroll students who are enrolled in the immediate prior grade level of the affiliated charter school. For additional openings, including those created through attrition, the school must admit students on the basis of a lottery. (20 U.S.C.A. § 7221(i)(H)(ii).).

Because state law does not expressly authorize automatic enrollment of students matriculating from an affiliated charter school, charter schools must obtain authorizer approval, as with other admissions preferences. However, the ESSA provides compelling support for approval of this admissions preference.

In addition, neither federal nor state law currently define the term "affiliated" as used in this context. Absent further guidance from the U.S. Department of Education or California

Department of Education, it will be up to the charter school and authorizer to determine whether a charter school is "affiliated" for purposes of feeder pattern admissions preferences.

Suspension, Expulsion and Dismissal Procedures

Existing law requires charter school petitions to describe the schools' proposed suspension and expulsion procedures. AB 1360 requires charter petitions to include an explanation of how the school will comply with federal and state constitutional due process requirements. (Educ. Code 47605(b)(5)(J).) These procedures must meet the following minimum due process requirements:

- For suspensions of fewer than 10 days, the charter school must provide oral or written notice of the charges against the student. If the student denies the charges, the school must provide explanation of the evidence that supports the charges, and an opportunity for the student to present his or her side of the story. (Educ. Code 47605(b)(5)(J)(i).)
- For expulsions or suspensions of 10 days or more, the school must provide timely, written notice of the charges against the student and an explanation of the student's basic rights. Within a reasonable number of days, the school must also hold a hearing adjudicated by a neutral officer, at which the student has a fair opportunity to present testimony, evidence, and witnesses, to confront and cross-examine adverse witnesses, and at which the student has the right to bring legal counsel or an advocate. (Educ. Code 47605(b)(5)(J)(ii).)

Charter petitions must also include a clear statement that no student will be involuntarily disenrolled, dismissed, or transferred by the charter school for any reason, unless the parent or guardian has been provided written notice at least five school days before the effective date of the removal. For all involuntary removals, including expulsions and dismissals for non-disciplinary reasons, parents must be informed of their right to a hearing before the effective date of the removal. If the student's parent or guardian initiates the hearing procedures, the student must remain enrolled until the charter school issues a final decision. (Educ. Code 47605(b)(5)(J)(iii).)

Parental Involvement:

AB 1360 also makes clear that charter schools may not require parental involvement for acceptance to, or continued enrollment at, the charter school. While charter schools may encourage parental involvement, they must affirmatively notify current and prospective parents that parental involvement is not a requirement for acceptance or enrollment in the charter school. (Educ. Code 47605(n).)

[Approved by Governor, October 13, 2017. Filed with Secretary of State, October 13, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1360, Bonta. Charter schools: pupil admissions, suspensions, and expulsions.

The Charter Schools Act of 1992 provides for the establishment and operation of charter schools and requires a petition for the establishment of a charter school to contain comprehensive descriptions of various procedures, including the charter school's admission, suspension, and expulsion procedures.

This bill would require the charter petition, regardless of the chartering authority, to contain a comprehensive description of procedures by which a pupil can be suspended, expelled, or otherwise involuntarily removed from the charter school that includes an explanation of how the charter school will comply with specified federal and state constitutional due process requirements. The bill would require a school district to provide certain information to a charter school in which a pupil was enrolled and who was expelled or left the charter school if the pupil is subsequently expelled or leaves the school district. To the extent the bill would impose additional requirements on local educational agencies and charter schools, the bill would impose a state-mandated local program.

Existing law requires, if the number of pupils who wish to attend a charter school exceeds capacity, for attendance to be determined by a public random drawing and requires admission preferences to be extended to pupils currently attending the charter school and pupils who reside in the school district or county, depending on the applicable chartering authority. Existing law provides that other preferences may be permitted by a chartering authority on an individual school basis, as specified.

This bill would require other preferences to be approved by the chartering authority at a public hearing and would require the preferences to comply with specified other requirements. To the extent the bill would impose additional duties on local educational agencies, the bill would impose a state-mandated local program.

The bill also would authorize a charter school to encourage parental involvement, but would require the charter school to 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.

This bill would incorporate additional changes to Section 47605 of the Education Code proposed by AB 830 to be operative only if this bill and AB 830 are enacted and this bill is enacted last. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

SECTION 1.

It is the intent of the Legislature in enacting this act to do all of the following:

(a) Ensure equal access to interested pupils at charter schools and prohibit practices that discourage enrollment or disproportionately push out segments of already enrolled pupils.

- (b) Ensure that charter school discipline policies are fair and transparent.
- (c) Ensure that a pupil's constitutional right to due process is protected at charter schools.
- (d) Consistent with Section 5 of Article IX of the California Constitution, ensure that charter schools operate within the system of common schools by remaining "... free, nonsectarian and open to all students...," as stated in *Wilson v. State Board of Education* (1999) 75 Cal.App.4th 1125, 1137–38.

SEC. 2.

Section 47605 of the Education Code is amended to read:

- (a) (1) Except as set forth in paragraph (2), a petition for the establishment of a charter school within a school district may be circulated by one or more persons seeking to establish the charter school. A petition for the establishment of a charter school shall identify a single charter school that will operate within the geographic boundaries of that school district. A charter school may propose to operate at multiple sites within the school district if each location is identified in the charter school petition. The petition may be submitted to the governing board of the school district for review after either of the following conditions is met:
 - (A) The petition is signed by a number of parents or legal guardians of pupils that is equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the charter school for its first year of operation.
 - (B) The petition is signed by a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the charter school during its first year of operation.
- (2) A petition that proposes to convert an existing public school to a charter school that would not be eligible for a loan pursuant to subdivision (c) of Section 41365 may be circulated by one or more persons seeking to establish the charter school. The petition may be submitted to the governing board of the school district for review after the petition is signed by not less than 50 percent of the permanent status teachers currently employed at the public school to be converted.
- (3) A petition shall include a prominent statement that a signature on the petition means that the parent or legal guardian is meaningfully interested in having his or her child or ward attend the charter school, or in the case of a teacher's signature, means that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition.
- (4) After receiving approval of its petition, a charter school that proposes to establish operations at one or more additional sites shall request a material revision to its charter and shall notify the authority that granted its charter of those additional locations. The authority that granted its charter shall consider whether to approve those additional locations at an open, public meeting. If the additional locations are approved, there shall be a material revision to the charter school's charter.
- (5) A charter school that is unable to locate within the jurisdiction of the chartering school district may establish one site outside the boundaries of the school district, but within the county in which that school district is located, if the school district within the jurisdiction of which the charter school proposes to operate is notified in advance of the charter petition approval, the county superintendent of schools and the Superintendent are notified of the location of the charter school before it commences operations, and either of the following circumstances exists:

(A) The school has attempted to locate a single site or facility to house the entire program, but a site or facility is unavailable in the area in which the school chooses to locate.

(B) The site is needed for temporary use during a construction or expansion project.

(6) Commencing January 1, 2003, a petition to establish a charter school may not be approved to serve pupils in a grade level that is not served by the school district of the governing board considering the petition, unless the petition proposes to serve pupils in all of the grade levels served by that school district.

(b) No later than 30 days after receiving a petition, in accordance with subdivision (a), the governing board of the school district shall hold a public hearing on the provisions of the charter, at which time the governing board of the school district shall consider the level of support for the petition by teachers employed by the school district, other employees of the school district, and parents. Following review of the petition and the public hearing, the governing board of the school district shall either grant or deny the charter within 60 days of receipt of the petition, provided, however, that the date may be extended by an additional 30 days if both parties agree to the extension. In reviewing petitions for the establishment of charter schools pursuant to this section, the chartering authority shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The governing board of the school district shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice. The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:

(1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.

(2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

(3) The petition does not contain the number of signatures required by subdivision (a).

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

(5) The petition does not contain reasonably comprehensive descriptions of all of the following:

(A) (i) The educational program of the charter school, designed, among other things, to identify those whom the charter 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.

(ii) The annual goals for the charter school 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.

(iii) If the proposed charter school will serve high school pupils, 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.

(B) The measurable pupil outcomes identified for use by the charter school. “Pupil outcomes,” for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the charter 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.

(C) 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.

(D) The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement.

(E) The qualifications to be met by individuals to be employed by the charter school.

(F) The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.

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

(H) Admission policies and procedures, consistent with subdivision (d).

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

(J) The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:

(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present his or her side of the story.

(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:

(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil’s basic rights.

(II) Provide 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.

(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of

intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform him or her of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).

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

(L) The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.

(M) The rights of an 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.

(N) The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.

(O) The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.

(6) The petition does not contain a declaration of whether or not the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.

(c) (1) Charter schools shall meet all statewide standards and conduct the pupil assessments required pursuant to Sections 60605 and 60851 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in noncharter public schools.

(2) Charter schools shall, on a regular basis, consult with their parents, legal guardians, and teachers regarding the charter school's educational programs.

(d) (1) In addition to any other requirement imposed under this part, a charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against a pupil on the basis of the characteristics listed in Section 220. Except as provided in paragraph (2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of his or her parent or legal guardian, within this state, except that an existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that public school.

(2) (A) A charter school shall admit all pupils who wish to attend the charter school.

(B) If the number of pupils who wish to attend the charter school exceeds the charter school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the school district except as provided for in Section 47614.5. Preferences, including, but not limited to, siblings of pupils admitted or attending the charter

school and children of the charter school's teachers, staff, and founders identified in the initial charter, may also be permitted by the chartering authority on an individual charter school basis. Priority order for any preference shall be determined in the charter petition in accordance with all of the following:

(i) Each type of preference shall be approved by the chartering authority at a public hearing.

(ii) Preferences shall be consistent with federal law, the California Constitution, and Section 200.

(iii) Preferences 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.

(iv) In accordance with Section 49011, preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

(C) In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the charter school and shall not take any action to impede the charter school from expanding enrollment to meet pupil demand.

(3) If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a transcript of grades, and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the charter school within 30 days if the charter school demonstrates that the pupil had been enrolled in the charter school. This paragraph applies only to pupils subject to compulsory full-time education pursuant to Section 48200.

(e) The governing board of a school district shall not require an employee of the school district to be employed in a charter school.

(f) The governing board of a school district shall not require a pupil enrolled in the school district to attend a charter school.

(g) The governing board of a school district shall require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the charter school, including, but not limited to, the facilities to be used by the charter school, the manner in which administrative services of the charter school are to be provided, and potential civil liability effects, if any, upon the charter school and upon the school district. The description of the facilities to be used by the charter school shall specify where the charter school intends to locate. The petitioner or petitioners also shall be required to provide financial statements that include a proposed first-year operational budget, including startup costs, and cashflow and financial projections for the first three years of operation.

(h) In reviewing petitions for the establishment of charter schools within the school district, the governing board of the school district shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioner or petitioners as academically low achieving pursuant to the standards established by the department under Section 54032, as that section read before July 19, 2006.

(i) Upon the approval of the petition by the governing board of the school district, the petitioner or petitioners shall provide written notice of that approval, including a copy of the petition, to the applicable county superintendent of schools, the department, and the state board.

(j) (1) If the governing board of a school district denies a petition, the petitioner may elect to submit the petition for the establishment of a charter school to the county board of education. The county board of education shall review the petition pursuant to subdivision (b). If the petitioner elects to submit a petition for establishment of a charter school to the county board of education and the county board of education denies the petition, the petitioner may file a petition for establishment of a charter school with the state board, and the state board may approve the petition, in accordance with subdivision (b). A charter school that receives approval of its petition from a county board of education or from the state board on appeal shall be subject to the same requirements concerning geographic location to which it would otherwise be subject if it received approval from the entity to which it originally submitted its petition. A charter petition that is submitted to either a county board of education or to the state board shall meet all otherwise applicable petition requirements, including the identification of the proposed site or sites where the charter school will operate.

(2) In assuming its role as a chartering agency, the state board shall develop criteria to be used for the review and approval of charter school petitions presented to the state board. The criteria shall address all elements required for charter approval, as identified in subdivision (b), and shall define “reasonably comprehensive,” as used in paragraph (5) of subdivision (b), in a way that is consistent with the intent of this part. Upon satisfactory completion of the criteria, the state board shall adopt the criteria on or before June 30, 2001.

(3) A charter school for which a charter is granted by either the county board of education or the state board based on an appeal pursuant to this subdivision shall qualify fully as a charter school for all funding and other purposes of this part.

(4) If either the county board of education or the state board fails to act on a petition within 120 days of receipt, the decision of the governing board of the school district to deny the petition shall be subject to judicial review.

(5) The state board shall adopt regulations implementing this subdivision.

(6) Upon the approval of the petition by the county board of education, the petitioner or petitioners shall provide written notice of that approval, including a copy of the petition, to the department and the state board.

(k) (1) The state board may, by mutual agreement, designate its supervisory and oversight responsibilities for a charter school approved by the state board to any local educational agency in the county in which the charter school is located or to the governing board of the school district that first denied the petition.

(2) The designated local educational agency shall have all monitoring and supervising authority of a chartering agency, including, but not limited to, powers and duties set forth in Section 47607, except the power of revocation, which shall remain with the state board.

(3) A charter school that is granted its charter through an appeal to the state board and elects to seek renewal of its charter shall, before expiration of the charter, submit its petition for renewal to the governing board of the school district that initially denied the charter. If the governing board of the school district denies the charter school’s petition for renewal, the charter school may petition the state board for renewal of its charter.

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

(m) A charter school shall transmit a copy of its annual, independent financial audit report for the preceding fiscal year, as described in subparagraph (I) of paragraph (5) of subdivision (b), to its chartering entity, the Controller, the county superintendent of schools of the county in which the charter school is sited, unless the county board of education of the county in which the charter school is sited is the chartering entity, and the department by December 15 of each year. This subdivision does not apply if the audit of the charter school is encompassed in the audit of the chartering entity pursuant to Section 41020.

(n) A charter school may encourage parental involvement, but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, the charter school.

SEC. 2.5.

Section 47605 of the Education Code is amended to read:

(a) (1) Except as set forth in paragraph (2), a petition for the establishment of a charter school within a school district may be circulated by one or more persons seeking to establish the charter school. A petition for the establishment of a charter school shall identify a single charter school that will operate within the geographic boundaries of that school district. A charter school may propose to operate at multiple sites within the school district if each location is identified in the charter school petition. The petition may be submitted to the governing board of the school district for review after either of the following conditions is met:

(A) The petition is signed by a number of parents or legal guardians of pupils that is equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the charter school for its first year of operation.

(B) The petition is signed by a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the charter school during its first year of operation.

(2) A petition that proposes to convert an existing public school to a charter school that would not be eligible for a loan pursuant to subdivision (c) of Section 41365 may be circulated by one or more persons seeking to establish the charter school. The petition may be submitted to the governing board of the school district for review after the petition is signed by not less than 50 percent of the permanent status teachers currently employed at the public school to be converted.

(3) A petition shall include a prominent statement that a signature on the petition means that the parent or legal guardian is meaningfully interested in having his or her child or ward attend the charter school, or in the case of a teacher's signature, means that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition.

(4) After receiving approval of its petition, a charter school that proposes to establish operations at one or more additional sites shall request a material revision to its charter and shall notify the authority that granted its charter of those additional locations. The authority that granted its charter shall consider whether to approve those additional locations at an open, public meeting. If the additional locations are approved, there shall be a material revision to the charter school's charter.

(5) A charter school that is unable to locate within the jurisdiction of the chartering school district may establish one site outside the boundaries of the school district, but within the county in which that school district is located, if the school district within the jurisdiction of which the

charter school proposes to operate is notified in advance of the charter petition approval, the county superintendent of schools and the Superintendent are notified of the location of the charter school before it commences operations, and either of the following circumstances exists:

(A) The school has attempted to locate a single site or facility to house the entire program, but a site or facility is unavailable in the area in which the school chooses to locate.

(B) The site is needed for temporary use during a construction or expansion project.

(6) Commencing January 1, 2003, a petition to establish a charter school may not be approved to serve pupils in a grade level that is not served by the school district of the governing board considering the petition, unless the petition proposes to serve pupils in all of the grade levels served by that school district.

(b) No later than 30 days after receiving a petition, in accordance with subdivision (a), the governing board of the school district shall hold a public hearing on the provisions of the charter, at which time the governing board of the school district shall consider the level of support for the petition by teachers employed by the school district, other employees of the school district, and parents. Following review of the petition and the public hearing, the governing board of the school district shall either grant or deny the charter within 60 days of receipt of the petition, provided, however, that the date may be extended by an additional 30 days if both parties agree to the extension. In reviewing petitions for the establishment of charter schools pursuant to this section, the chartering authority shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The governing board of the school district shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice. The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:

(1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.

(2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

(3) The petition does not contain the number of signatures required by subdivision (a).

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

(5) The petition does not contain reasonably comprehensive descriptions of all of the following:

(A) (i) The educational program of the charter school, designed, among other things, to identify those whom the charter 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.

(ii) The annual goals for the charter school 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.

(iii) If the proposed charter school will serve high school pupils, 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.

(B) The measurable pupil outcomes identified for use by the charter school. “Pupil outcomes,” for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the charter 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.

(C) 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.

(D) The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement.

(E) The qualifications to be met by individuals to be employed by the charter school.

(F) The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.

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

(H) Admission policies and procedures, consistent with subdivision (d).

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

(J) The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:

(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present his or her side of the story.

(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:

(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil’s basic rights.

(II) Provide 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.

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

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

(L) The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.

(M) The rights of an 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.

(N) The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.

(O) The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.

(6) The petition does not contain a declaration of whether or not the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.

(c) (1) Charter schools shall meet all statewide standards and conduct the pupil assessments required pursuant to Section 60605 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in noncharter public schools.

(2) Charter schools shall, on a regular basis, consult with their parents, legal guardians, and teachers regarding the charter school's educational programs.

(d) (1) In addition to any other requirement imposed under this part, a charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against a pupil on the basis of the characteristics listed in Section 220. Except as provided in paragraph (2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of his or her parent or legal guardian, within this state, except that an existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that public school.

(2) (A) A charter school shall admit all pupils who wish to attend the charter school.

(B) If the number of pupils who wish to attend the charter school exceeds the charter school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the school district except as provided for in Section 47614.5. Preferences, including, but not limited to, siblings of pupils admitted or attending the charter school and children of the charter school's teachers, staff, and founders identified in the initial charter, may also be permitted by the chartering authority on an individual charter school basis. Priority order for any preference shall be determined in the charter petition in accordance with all of the following:

(i) Each type of preference shall be approved by the chartering authority at a public hearing.

(ii) Preferences shall be consistent with federal law, the California Constitution, and Section 200.

(iii) Preferences 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.

(iv) In accordance with Section 49011, preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

(C) In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the charter school and shall not take any action to impede the charter school from expanding enrollment to meet pupil demand.

(3) If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a transcript of grades, and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the charter school within 30 days if the charter school demonstrates that the pupil had been enrolled in the charter school. This paragraph applies only to pupils subject to compulsory full-time education pursuant to Section 48200.

(e) The governing board of a school district shall not require an employee of the school district to be employed in a charter school.

(f) The governing board of a school district shall not require a pupil enrolled in the school district to attend a charter school.

(g) The governing board of a school district shall require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the charter school, including, but not limited to, the facilities to be used by the charter school, the manner in which administrative services of the charter school are to be provided, and potential civil liability effects, if any, upon the charter school and upon the school district. The description of the facilities to be used by the charter school shall specify where the charter school intends to locate. The petitioner or petitioners also shall be required to provide financial statements that include a proposed first-year operational budget, including startup costs, and cashflow and financial projections for the first three years of operation.

(h) In reviewing petitions for the establishment of charter schools within the school district, the governing board of the school district shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioner or

petitioners as academically low achieving pursuant to the standards established by the department under Section 54032, as that section read before July 19, 2006.

(i) Upon the approval of the petition by the governing board of the school district, the petitioner or petitioners shall provide written notice of that approval, including a copy of the petition, to the applicable county superintendent of schools, the department, and the state board.

(j) (1) If the governing board of a school district denies a petition, the petitioner may elect to submit the petition for the establishment of a charter school to the county board of education. The county board of education shall review the petition pursuant to subdivision (b). If the petitioner elects to submit a petition for establishment of a charter school to the county board of education and the county board of education denies the petition, the petitioner may file a petition for establishment of a charter school with the state board, and the state board may approve the petition, in accordance with subdivision (b). A charter school that receives approval of its petition from a county board of education or from the state board on appeal shall be subject to the same requirements concerning geographic location to which it would otherwise be subject if it received approval from the entity to which it originally submitted its petition. A charter petition that is submitted to either a county board of education or to the state board shall meet all otherwise applicable petition requirements, including the identification of the proposed site or sites where the charter school will operate.

(2) In assuming its role as a chartering agency, the state board shall develop criteria to be used for the review and approval of charter school petitions presented to the state board. The criteria shall address all elements required for charter approval, as identified in subdivision (b), and shall define "reasonably comprehensive," as used in paragraph (5) of subdivision (b), in a way that is consistent with the intent of this part. Upon satisfactory completion of the criteria, the state board shall adopt the criteria on or before June 30, 2001.

(3) A charter school for which a charter is granted by either the county board of education or the state board based on an appeal pursuant to this subdivision shall qualify fully as a charter school for all funding and other purposes of this part.

(4) If either the county board of education or the state board fails to act on a petition within 120 days of receipt, the decision of the governing board of the school district to deny the petition shall be subject to judicial review.

(5) The state board shall adopt regulations implementing this subdivision.

(6) Upon the approval of the petition by the county board of education, the petitioner or petitioners shall provide written notice of that approval, including a copy of the petition, to the department and the state board.

(k) (1) The state board may, by mutual agreement, designate its supervisory and oversight responsibilities for a charter school approved by the state board to any local educational agency in the county in which the charter school is located or to the governing board of the school district that first denied the petition.

(2) The designated local educational agency shall have all monitoring and supervising authority of a chartering agency, including, but not limited to, powers and duties set forth in Section 47607, except the power of revocation, which shall remain with the state board.

(3) A charter school that is granted its charter through an appeal to the state board and elects to seek renewal of its charter shall, before expiration of the charter, submit its petition for renewal to the governing board of the school district that initially denied the charter. If the governing board of the school district denies the charter school's petition for renewal, the charter school may petition the state board for renewal of its charter.

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

(m) A charter school shall transmit a copy of its annual, independent financial audit report for the preceding fiscal year, as described in subparagraph (I) of paragraph (5) of subdivision (b), to its chartering entity, the Controller, the county superintendent of schools of the county in which the charter school is sited, unless the county board of education of the county in which the charter school is sited is the chartering entity, and the department by December 15 of each year. This subdivision does not apply if the audit of the charter school is encompassed in the audit of the chartering entity pursuant to Section 41020.

(n) A charter school may encourage parental involvement, but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, the charter school.

SEC. 3.

Section 47605.6 of the Education Code is amended to read:

(a) (1) In addition to the authority provided by Section 47605.5, a county board of education may also approve a petition for the operation of a charter school that operates at one or more sites within the geographic boundaries of the county and that provides instructional services that are not generally provided by a county office of education. A county board of education may approve a countywide charter only if it finds, in addition to the other requirements of this section, that the educational services to be provided by the charter school will offer services to a pupil population that will benefit from those services and that cannot be served as well by a charter school that operates in only one school district in the county. A petition for the establishment of a countywide charter school pursuant to this subdivision may be circulated throughout the county by any one or more persons seeking to establish the charter school. The petition may be submitted to the county board of education for review after either of the following conditions is met:

(A) The petition is signed by a number of parents or guardians of pupils residing within the county that is equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the school for its first year of operation and each of the school districts where the charter school petitioner proposes to operate a facility has received at least 30 days' notice of the petitioner's intent to operate a charter school pursuant to this section.

(B) The petition is signed by a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the school during its first year of operation and each of the school districts where the charter school petitioner proposes to operate a facility has received at least 30 days' notice of the petitioner's intent to operate a charter school pursuant to this section.

(2) An existing public school shall not be converted to a charter school in accordance with this section.

(3) After receiving approval of its petition, a charter school that proposes to establish operations at additional sites within the geographic boundaries of the county board of education shall notify

the school districts where those sites will be located. The charter school shall also request a material revision of its charter by the county board of education that approved its charter and the county board of education shall consider whether to approve those additional locations at an open, public meeting, held no sooner than 30 days following notification of the school districts where the sites will be located. If approved, the location of the approved sites shall be a material revision of the charter school's approved charter.

(4) A petition shall include a prominent statement indicating that a signature on the petition means that the parent or guardian is meaningfully interested in having his or her child or ward attend the charter school, or in the case of a teacher's signature, means that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition.

(b) No later than 60 days after receiving a petition, in accordance with subdivision (a), the county board of education shall hold a public hearing on the provisions of the charter, at which time the county board of education shall consider the level of support for the petition by teachers, parents or guardians, and the school districts where the charter school petitioner proposes to place school facilities. Following review of the petition and the public hearing, the county board of education shall either grant or deny the charter within 90 days of receipt of the petition. However, this date may be extended by an additional 30 days if both parties agree to the extension. A county board of education may impose any additional requirements beyond those required by this section that it considers necessary for the sound operation of a countywide charter school. A county board of education may grant a charter for the operation of a charter school under this part only if it is satisfied that granting the charter is consistent with sound educational practice and that the charter school has reasonable justification for why it could not be established by petition to a school district pursuant to Section 47605. The county board of education shall deny a petition for the establishment of a charter school if it finds one or more of the following:

(1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.

(2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

(3) The petition does not contain the number of signatures required by subdivision (a).

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

(5) The petition does not contain reasonably comprehensive descriptions of all of the following:

(A) (i) The educational program of the charter school, designed, among other things, to identify those pupils whom the charter 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.

(ii) The annual goals for the charter school 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.

(iii) If the proposed charter school will enroll high school pupils, the manner in which the charter school will inform parents regarding the transferability of courses to other public high schools.

Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered to be transferable to other public high schools.

(iv) If the proposed charter school will enroll high school pupils, information as to the manner in which the charter school will inform parents as to whether each individual course offered by the charter school meets college entrance requirements. Courses approved by the University of California or the California State University as satisfying their prerequisites for admission may be considered as meeting college entrance requirements for purposes of this clause.

(B) The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and aptitudes specified as goals in the charter 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.

(C) 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.

(D) The location of each charter school facility that the petitioner proposes to operate.

(E) The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement.

(F) The qualifications to be met by individuals to be employed by the charter school.

(G) The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.

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

(I) The manner in which annual, independent, financial audits shall be conducted, in accordance with regulations established by the state board, and the manner in which audit exceptions and deficiencies shall be resolved.

(J) The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:

(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present his or her side of the story.

(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:

(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.

(II) Provide 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.

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

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

(L) The procedures to be followed by the charter school and the county board of education to resolve disputes relating to provisions of the charter.

(M) Admission policy and procedures, consistent with subdivision (e).

(N) The public school attendance alternatives for pupils residing within the county who choose not to attend the charter school.

(O) The rights of an employee of the county office of education, upon leaving the employment of the county office of education, to be employed by the charter school, and any rights of return to the county office of education that an employee may have upon leaving the employ of the charter school.

(P) The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of public records.

(6) A declaration of whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for purposes of the Educational Employment Relations Act (Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code).

(7) Any other basis that the county board of education finds justifies the denial of the petition.

(c) A county board of education that approves a petition for the operation of a countywide charter may, as a condition of charter approval, enter into an agreement with a third party, at the expense of the charter school, to oversee, monitor, and report to the county board of education on the operations of the charter school. The county board of education may prescribe the aspects of the charter school's operations to be monitored by the third party and may prescribe appropriate requirements regarding the reporting of information concerning the operations of the charter school to the county board of education.

(d) (1) Charter schools shall meet all statewide standards and conduct the pupil assessments required pursuant to Section 60605 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in noncharter public schools.

(2) Charter schools shall on a regular basis consult with their parents and teachers regarding the charter school's educational programs.

(e) (1) In addition to any other requirement imposed under this part, a charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any pupil on the basis of ethnicity, national origin, gender, gender identity, gender expression, or disability. Except as provided in paragraph (2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of his or her parent or guardian, within this state.

(2) (A) A charter school shall admit all pupils who wish to attend the charter school.

(B) If the number of pupils who wish to attend the charter school exceeds the charter school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the county except as provided for in Section 47614.5.

Preferences, including, but not limited to, siblings of pupils admitted or attending the charter school and children of the charter school's teachers, staff, and founders identified in the initial charter, may also be permitted by the chartering authority on an individual charter school basis.

Priority order for any preference shall be determined in the charter petition in accordance with all of the following:

(i) Each type of preference shall be approved by the chartering authority at a public hearing.

(ii) Preferences shall be consistent with federal law, the California Constitution, and Section 200.

(iii) Preferences 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.

(iv) In accordance with Section 49011, preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment

(C) In the event of a drawing, the county board of education shall make reasonable efforts to accommodate the growth of the charter school and in no event shall take any action to impede the charter school from expanding enrollment to meet pupil demand.

(3) If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a transcript of grades, and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the charter school within 30 days if the charter school demonstrates that the pupil had been enrolled in the charter school. This paragraph applies only to pupils subject to compulsory full-time education pursuant to Section 48200.

(f) The county board of education shall not require an employee of the county or a school district to be employed in a charter school.

(g) The county board of education shall not require a pupil enrolled in a county program to attend a charter school.

(h) The county board of education shall require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the charter school, including, but not limited to, the facilities to be used by the charter school, the manner in which administrative services of the charter school are to be provided, and potential civil liability effects, if any, upon the charter school, any school district where the charter school may operate,

and upon the county board of education. The petitioner or petitioners shall also be required to provide financial statements that include a proposed first-year operational budget, including startup costs, and cashflow and financial projections for the first three years of operation.

(i) In reviewing petitions for the establishment of charter schools within the county, the county board of education shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioner or petitioners as academically low achieving pursuant to the standards established by the department under Section 54032, as that section read before July 19, 2006.

(j) Upon the approval of the petition by the county board of education, the petitioner or petitioners shall provide written notice of that approval, including a copy of the petition, to the school districts within the county, the Superintendent, and the state board.

(k) If a county board of education denies a petition, the petitioner may not elect to submit the petition for the establishment of the charter school to the state board.

(l) Teachers in charter schools shall be required to hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. These documents shall be maintained on file at the charter school and shall be subject to periodic inspection by the chartering authority.

(m) A charter school shall transmit a copy of its annual, independent, financial audit report for the preceding fiscal year, as described in subparagraph (I) of paragraph (5) of subdivision (b), to the county office of education, the Controller, and the department by December 15 of each year. This subdivision does not apply if the audit of the charter school is encompassed in the audit of the chartering entity pursuant to Section 41020.

(n) A charter school may encourage parental involvement but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, the charter school.

SEC. 4.

Section 2.5 of this bill incorporates amendments to Section 47605 of the Education Code proposed by both this bill and Assembly Bill 830. That section shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2018, (2) each bill amends Section 47605 of the Education Code, and (3) this bill is enacted after Assembly Bill 830, in which case Section 2 of this bill shall not become operative.

SEC. 5.

If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

Appendix 1. b

Support Documentation of Inadequate Consideration for Scholars with Disabilities

New Joseph Bonnheim is a body/brain compatible teaching and learning school that uses integrated thematic units of study that includes hands-on project based learning and “being there experiences” to connect and make meaning of concepts. This approach suits scholars with learning difficulties because it allows them to work at their own levels of differentiated learning, utilizing various tools. For collaborative projects, teachers at NJB pair higher-and lower-functioning students, who will then work together to accomplish a common learning goal and end in mind, that is often bigger or better than what they could have done on their own.

We know that the presence of differentiated instruction, interdisciplinary content, technology, collaboration, supports, and authentic assessment are key markers of successful inclusion in school communities. We see these elements in the foundations of the Highly Effective Teaching model or body/brain compatible learning.

HET as a pedagogy, is a great vehicle for meaningful inclusion because each of its project design elements and teaching practices are geared toward creating the kind of engaging and dynamic learning environment that are *also* known to best serve students with a wide range of disabilities.

Hands-on, Project Based Learning body/brain compatible learning also helps provide and build peer relationships and real-life skills.

For example, a 6th grade class that is focusing on a unit/project, has special needs scholars with varying disabilities. It focused on the challenging topic of about the impact of the carbon footprint. The class started by reading the narrative story “The Carbon Diaries” by Jane Oski, which is about a teenager lives in a dystopian society where carbon rations are critical for survival. In the story, the teenager shares her journal of not only trying to help her family survive, but her community, in an environmentally challenged world. Scholars tied this story in with an op-ed entitled “The Moral Logic of Rations in an Environmentally Challenged World” by Nancy Sherwood, as well as coverage about the current environmental and climate issues. The goal was for the students to create a visual representation of how the stories themes connected and how they were different, to see how fiction and non-fiction go together to make the reader think about an enduring understanding and concept.

Using a visual collaboration platform, and google classroom, scholars structured their thinking and through collaboration tools like the shared docs, and messenger tools, to be used both home and at school, scholars with special needs were able to have more time to access and use computer adaptive technology, if needed, to brainstorm in a collaborative space and visualize each other’s’ work. This prompted other ideas from their partners that they may not have come up with on their own.

Some of our students have difficulty with reading and by the time that they are able to sound out a word they have forgotten the content. The Speak It app allows any web material to be read

aloud providing them with independence and ability to research without assistance. This also allows them to repeat information as many times as necessary for them to retain the information.

Instagrok presents topic as a visual concept map You can change the difficulty level, provide journal opportunities and has ability to develop quizzes based on the information given (comprehension). These are some of the tools used in computer adaptive technology.

In addition, they were able to share ideas electronically and build on each other's' work to create argumentative essays. Working this way also supported our pedagogical shift towards infusing technology into all of our lessons, following the SAMR Model. For this project, students gathered all of their resources and put them in the platform to produce something that was much more than a pencil-and-paper report. Not only did the platform guide me through the process, their team was generous with their time and collaborated with me to ensure this project would be an improvement from the last.

Speech and Language Supports:

Appropriate use of pragmatic skills are essential elements when implementing body/brain compatible teaching and learning. When developing annual goals, project-based learning activities easily align:

- Language/Speech Goals (intelligibility/conversational exchanges)
- Following multi-step directions
- Asking & Answering questions
- Collaboration/Cooperation
- Providing feedback

Appendix 3.a (i.)

Technology

As stated in the charter renewal, the educational plan supports developing educated people for the 21st Century. We feel an educated person in the 21st Century has a firm foundation in the basic academic skills of reading, writing, mathematics, and science. In addition to being academically prepared (i.e., book smart) an educated person is linguistically, socially, and culturally prepared to meet new experiences, solve new problems, and take responsibility for his or her own learning (i.e., street smart). This is consistent with Dr. Howard Gardner's theory of multiple intelligences.

When experiencing new situations, an educated person has the necessary skills to overcome the challenges she or he encounters. These skills include the ability to:

- Think critically
- Collaborate with others
- Communicate effectively
- Write for a variety of purposes and audiences
- Be creative and innovative
- Demonstrate informational, media, and technological literacy
- Demonstrate moxie (i.e., a combination of confidence, courage, daring, spirit, and determination)

NJB believes this also includes a strong emphasis on technology and digital literacy as it is critical and important for scholars in learning in an ever-changing innovative world. NJB

has units of study in using technology with purpose and intent. Teachers are trained in digital instructional strategies used to enhance and transform scholar learning, and align that use with learning research, such as google drive and classroom that are used at NJB for scholar presentations, portfolios, and research projects centered in agriculture. Using technology makes teaching and learning more productive and meaningful by streamlining assignments, boosting collaboration, and fostering communication. In our 4-H and afterschool programs, scholars use drones to map out farming, study robotics for work performance, and coding.

In summary, the goal is for every NJB scholar to become a self-motivated, competent, lifelong learner, and a well-versed advocate of democracy, as demonstrated in their performance tasks, projects, presentations, and how they handle carry themselves every day at NJB.

NJB budgets every year in curriculum and instruction to include technology and digital literacy. Some of these programs include I-Ready, NewsELA, Google Classroom, Starfall, ESGI, Scholastic Science Online, and other research tools. Every scholar has access to a one-to-one computer/tablet. Some classrooms use a 3-D printer in designing farm projects.

Yearly expenditures on technology is encumbered in the budget and each year NJB budgets for technology specific to scholars and their defined disabilities, who will be able to access the curriculum through adaptive technology.

2019-20 One Stop Budget

Technology encumbered in instructional

<p style="margin-bottom: 10px;"><u>2,341,203</u></p> <p>Expense Title</p> <p>Textbooks</p> <p>Other Books (Library)</p> <p>Instructional Supplies</p> <p>Materials Lab Instructional:</p> <p style="padding-left: 20px;">Instructional</p> <p style="padding-left: 20px;">Non-Instructional</p>	<div style="border: 1px solid black; background-color: #f4a460; padding: 5px; margin-bottom: 10px; display: inline-block;">REGULAR ED</div> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;">Object Code</th> <th style="text-align: right; border-bottom: 1px solid black;">Total Budget</th> </tr> </thead> <tbody> <tr> <td style="border-bottom: 1px solid black;">4110</td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;">4210</td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;">4310</td> <td style="border-bottom: 1px solid black; text-align: right;">39,581</td> </tr> <tr> <td style="border-bottom: 1px solid black;">4317</td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;">4327</td> <td style="border-bottom: 1px solid black;"></td> </tr> </tbody> </table>	Object Code	Total Budget	4110		4210		4310	39,581	4317		4327	
Object Code	Total Budget												
4110													
4210													
4310	39,581												
4317													
4327													

NJB will revise their version of the Scholar and Family Handbook to apply school tablets/computers to the Charter School’s rules regarding the use of technology.

Adaptive Technology Supports for Scholars with Learning Disabilities

NJB strives to use AT to address many types of learning difficulties. A scholar who has difficulty writing can compose a school report by dictating it and having it converted to text by special software installed on their computer. A scholar who struggles with math can use a hand-held calculator to solve a math problem.

Currently, we have 14 identified IEP and 6 504 plans where scholars benefit from adaptive technology.

To support scholars with defined disabilities, NJB works with the RSP and Resource teacher(s) and general education classroom teacher to identify the needs for the scholar to access core curriculum.

Adaptive Technology (AT) for scholars with Learning Disabilities is defined as any device, piece of equipment or system that helps bypass, work around or compensate for an individual's specific learning deficits. At demonstrated efficacy, the use of AT helps scholars with special education needs reach their potential because it allows them to capitalize on their strengths and bypass areas of difficulty. For example, a scholar who struggles with reading but who has good listening skills might benefit from listening to audio books or audio text reading on the computer. A scholar who has visual needs will have a magnifier placed on the screen as an adapter if needed. Each classroom has technology capabilities with the one-to-one computers to have audio or visual screens to support the learner. There are other AT supports provided by NJB listed below:

Listening

NJB has certain adaptive technology (AT) tools can help people who have difficulty processing and remembering spoken language. Such devices can be used in various settings (e.g., a class lecture, or a meeting with multiple speakers).

Math

Adaptive technology tools for math are designed and used to help a scholar who struggles with computing, organizing, aligning, and copying math problems down on paper. With the help of visual and/or audio support, users can better set up and calculate basic math problems.

Organization and memory

Adaptive technology tools can help a person plan, organize, and keep track of his calendar, schedule, task list, contact information, and miscellaneous notes. These tools allow him/her to manage, store, and retrieve such information with the help of special software and hand-held devices.

Reading

There is a wide range of technology tools available to help individuals who struggle with reading. While each type of tool works a little differently, all of these tools help by presenting text as speech. These tools help facilitate decoding, reading fluency, and comprehension.

Writing

There is a wide range of adaptive technology tools used to help scholars who struggle with writing. Some of these tools help scholars circumvent the actual physical task of writing, while others facilitate proper spelling, punctuation, grammar, word usage, and organization.

Abbreviation expanders

Used with word processing, these software programs allow a user to create, store, and re-use abbreviations for frequently-used words or phrases. This can save the user keystrokes and ensure proper spelling of words and phrases he has coded as abbreviations.

Alternative keyboards

These programmable keyboards have special overlays that customize the appearance and function of a standard keyboard. Scholars who have LD or have trouble typing may benefit from customization that reduces input choices, groups keys by color/location, and adds graphics to aid comprehension.

Audio books and publications

Recorded books allow users to listen to text and are available in a variety of formats, such as audiocassettes, CDs, and MP3 downloads. Special playback units allow users to and search and bookmark pages and chapters. Subscription services offer extensive electronic library collections.

Electronic math work sheets

Electronic math worksheets are software programs that can help a user organize, align, and work through math problems on a computer screen. Numbers that appear onscreen can also be read aloud via a speech synthesizer. This may be helpful to people who have trouble aligning math problems with pencil and paper.

Freeform database software

Used in conjunction with word processing or other software, this tool allows the user to create and store electronic notes by "jotting down" relevant information of any length and on any subject. He can later retrieve the information by typing any fragment of the original note.

Graphic organizers and outlining

Graphic organizers and outlining programs help users who have trouble organizing and outlining information as they begin a writing project. This type of program lets a user "dump" information in an unstructured manner and later helps him organize the information into appropriate categories and order.

Information/data managers

This type of tool helps a person plan, organize, store, and retrieve his calendar, task list, contact data, and other information in electronic form. Personal data managers may be portable, hand-held devices, computer software, or a combination of those tools working together by "sharing" data.

Optical character recognition

This technology allows a user to scan printed material into a computer or handheld unit. The scanned text is then read aloud via a speech synthesis/screen reading system. Optical Character Recognition (OCR) is available as stand-alone units, computer software, and as portable, pocket-sized devices.

Personal FM listening systems

A personal FM listening system transmits a speaker's voice directly to the user's ear. This may help the listener focus on what the speaker is saying. The unit consists of a wireless transmitter (with microphone) worn by the speaker and a receiver (with earphone) worn by the listener.

Portable word processors

A portable word processor is a lightweight device that is easy to transport (e.g., from classroom to home). It can be helpful to kids who may have trouble writing by hand and prefer to use a keyboard. Word processing allows the user to edit and correct his written work more efficiently than doing so by hand.

Proofreading programs

Scholars who struggle with writing (e.g., spelling, grammar, punctuation, word usage, and sentence structure) may benefit from software programs (included in many word processing systems) that scan word processing documents and alert the user to possible errors.

Speech-recognition programs

A speech recognition program works in conjunction with a word processor. The user "dictates" into a microphone, and his spoken words appear on the computer screen as text. This can help a user whose oral language ability is better than his writing skills.

Speech synthesizers/screen readers

These systems can display and read aloud text on a computer screen, including text that has been typed by the user, scanned in from printed pages (e.g., books, letters), or text appearing on the Internet.

Talking calculators

A talking calculator has a built-in speech synthesizer that reads aloud each number, symbol, or operation key a user presses; it also vocalizes the answer to the problem. This auditory feedback may help him check the accuracy of the keys he presses and verify the answer before he transfers it to paper.

Talking spell checkers and electronic dictionaries

Talking spell checkers and electronic dictionaries can help a poor speller select or identify appropriate words and correct spelling errors during the process of writing and proofreading. Talking devices "read aloud" and display the selected words onscreen, so the user can see and hear the words.

Variable-speed tape recorders

Tape recorders/players allow a user to listen to pre-recorded text or to capture spoken information (e.g., a classroom lecture) and play it back later. Variable speed control (VSC) tape recorders speed up or slow down the playback rate without distorting the "speaker's" voice.

Word-prediction programs

Word prediction software can help a user during word processing by "predicting" a word the user intends to type. Predictions are based on spelling, syntax, and frequent/recent use. This prompts kids who struggle with writing to use proper spelling, grammar, and word choices, with fewer keystrokes.

Appendix 3.a (ii.)

Specific Annual Goals for Each Subgroup of Pupils

A Renewal Petition should include not only annual goals for all students but also "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 ... " (Ed. Code, § 47605, subd. (b)(5)(A)(ii).) The District recognizes that while the Renewal Petition addresses the Charter School's outcomes and actions, makes reference to LCAP goals, and gives specific attention to low-income students, foster youth, and English Learners, the Renewal Petition does not describe how each goal applies to each subgroup, including students with disabilities. The subgroups include: ethnic subgroups, socio-economic disadvantaged pupils, English learners, pupils with disabilities, and foster youth. (Ed.Code, § 52052 (a)(2)(A-E).)

Please see listed subgroups and goals below:

CHARTER SCHOOL OUTCOMES THAT ALIGN WITH THE STATE PRIORITIES
<p>Pursuant to Education Code Section 47605(b)(5)(B), following is a table describing that the Charter School's outcomes that align with the state priorities and the Charter School goals and actions to achieve the state priorities, as identified in Element 1 of the charter.</p> <p>The LCAP and any revisions necessary to implement the LCAP, including outcomes and methods of measurement listed below, shall not be considered a material revision to the charter, and shall be maintained by the Charter School at the school site.</p>

STATE PRIORITY #2— IMPLEMENTATION OF COMMON CORE STATE STANDARDS	
<i>Implementation of Common Core State Standards, including how EL students will be enabled to gain academic content knowledge and English language proficiency</i>	
SUB-PRIORITY A – CCSS IMPLEMENTATION	
GOAL TO ACHIEVE SUB-PRIORITY	NJB will increase student proficiency in both ELA and Math. To include all subgroups: Special Education, English Language Learner, Low-socioeconomic, African-American, Hispanic/Latino and Foster Youth.
ACTIONS TO ACHIEVE GOAL	Specific and detailed actions are listed throughout Element 1. Additionally, staff participate in ongoing professional learning around the ELA/ELD framework and (GLAD) Guided Language Acquisition and Development.
MEASURABLE OUTCOME	Increase of 4% of the student population <u>meeting/exceeded standards</u> as measured by the CAASPP for ELA and Math.
METHODS OF MEASUREMENT	CAASPP results from the state.
SUB-PRIORITY B – EL STUDENTS & ACADEMIC CONTENT KNOWLEDGE	
GOAL TO ACHIEVE SUB-PRIORITY	English learners will achieve re-designation criteria at increased rates.
ACTIONS TO ACHIEVE GOAL	Specific and detailed actions are listed throughout Element 1. EL students will engage in scaffolded content instruction with high levels of rigor as their English proficiency is addressed through integrated and designated ELD.
MEASURABLE OUTCOME	Scholars will move a level each year and re-classify as English proficient.

METHODS OF MEASUREMENT	ELPAC assessment and benchmark.
SUB-PRIORITY C – EL STUDENTS & ENGLISH LANGUAGE PROFICIENCY	
GOAL TO ACHIEVE SUB-PRIORITY	ELs at Intermediate or below will increase their English proficiency.
ACTIONS TO ACHIEVE GOAL	Intense professional learning around the ELA/ELD framework prepares teachers to provide high-quality integrated and designated ELD.
MEASURABLE OUTCOME	To be determined after baseline data collected with new ELPAC assessment.
METHODS OF MEASUREMENT	Baseline data collected from 2017-18 ELPAC.

STATE PRIORITY #4— STUDENT ACHIEVEMENT	
<i>Pupil achievement, as measured by all of the following, as applicable:</i>	
<ul style="list-style-type: none"> A. California Assessment of Student Performance and Progress (CAASPP) statewide assessment 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 California English Language Development Test (CELDT) and/or English Language Proficiency Assessment for California (ELPAC) E. EL reclassification rate F. Percentage of pupils who have passed an AP exam with a score of 3 or higher 	
<i>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</i>	

SUB-PRIORITY A – CAASPP: ELA/LITERACY AND MATHEMATICS							
GOAL TO ACHIEVE SUB-PRIORITY	Increase percent of students on track to graduate college and career ready. Goals for expected outcomes for each grade-level and sub group are listed below. Special Education, English Language Learner, Low-socioeconomic, African-American, Hispanic/Latino and Foster Youth. Each group will show an increase growth of percentages listed below each year in both ELA and MATH.						
ACTIONS TO ACHIEVE GOAL	Please see Element 1 section for full description of educational program. Additionally, teachers are provided ongoing professional learning (including training workshops and training specialist support on-site) to increase student achievement.						
MEASURABLE OUTCOME	Goals for expected outcomes for each grade-level and sub group are listed below. Special Education, English Language Learner, Low-socioeconomic, African-American, Hispanic/Latino and Foster Youth. Each group will show an increase growth of percentages listed below each year in both ELA and MATH.						
	<table border="1" style="width: 100%; text-align: center;"> <tr> <td style="width: 50%;">ELA</td> <td style="width: 50%;">Math</td> </tr> <tr> <td colspan="2">Expected Growth each year from 2019-2024 Based on prior growth 2015-2018</td> </tr> <tr> <td>3rd Grade 10%</td> <td>3rd Grade 6%</td> </tr> </table>	ELA	Math	Expected Growth each year from 2019-2024 Based on prior growth 2015-2018		3rd Grade 10%	3rd Grade 6%
ELA	Math						
Expected Growth each year from 2019-2024 Based on prior growth 2015-2018							
3rd Grade 10%	3rd Grade 6%						

	<p>4th Grade 10% 5th Grade 10% 6th Grade 10%</p> <p>Sub groups: Special Education 6% English Language Learner 7% African-American 8% Hispanic/Latino 9% Low-socioeconomic 8% Foster Youth 8%</p>	<p>4th Grade 6% 5th Grade 6% 6th Grade 6%</p> <p>Sub groups: Special Education 3% English Language Learner 4% African-American 5% Hispanic/Latino 5% Low-socioeconomic 4% Foster Youth 4%</p>
METHODS OF MEASUREMENT	Proficiency rates on the CAASPP in ELA/Literacy and mathematics	

SUB-PRIORITY B – API	
GOAL TO ACHIEVE SUB-PRIORITY	As API is no longer being used in California, NJB will meet the state expectation on the replacement for API, as announced and implemented. To include all subgroups: Special Education, English Language Learner, Low-socioeconomic, African-American, Hispanic/Latino and Foster Youth.
ACTIONS TO ACHIEVE GOAL	Please see Element 1 section for full description of educational program. Additionally, teachers are provided ongoing professional learning (including training workshops and training specialist support on-site) to increase student achievement.
MEASURABLE OUTCOME	To be determined by Dashboard system.
METHODS OF MEASUREMENT	Baseline data to be collected upon full implementation of Dashboard system.

SUB-PRIORITY D – EL PROFICIENCY RATES	
GOAL TO ACHIEVE SUB-PRIORITY	ELs at Intermediate or below will increase their English proficiency.
ACTIONS TO ACHIEVE GOAL	Intense professional learning around the ELA/ELD framework prepares teachers to provide high-quality integrated and designated ELD.
MEASURABLE OUTCOME	To be determined after baseline data collected with new ELPAC assessment.
METHODS OF MEASUREMENT	Baseline data collected from 2017-18 ELPAC.

SUB-PRIORITY E – EL RECLASSIFICATION RATES	
GOAL TO ACHIEVE SUB-PRIORITY	English learners will achieve re-designation criteria at increased rates.
ACTIONS TO ACHIEVE GOAL	Specific and detailed actions are listed throughout Element 1. EL students will engage in scaffolded content instruction with high levels of rigor as their English proficiency is addressed through integrated and designated ELD.
MEASURABLE	Scholars will move one level each year and then be reclassified as English proficient.

OUTCOME	
METHODS OF MEASUREMENT	ELPAC and % of scholars moving up levels

STATE PRIORITY #5— STUDENT ENGAGEMENT	
<i>Pupil engagement, as measured by all of the following, as applicable:</i>	
<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 	

SUB-PRIORITY A – STUDENT ATTENDANCE RATES	
GOAL TO ACHIEVE SUB-PRIORITY	NJB will increase daily attendance to 95% or more. Goals for expected outcomes for sub group are listed below. Special Education, English Language Learner, Low-socioeconomic, African-American, Hispanic/Latino and Foster Youth. Each group will maintain an attendance rate of 95% or more.
ACTIONS TO ACHIEVE GOAL	The school will provide varied opportunities for students to become interested in school and learning through technology based activities, after-school and enrichment activities.
MEASURABLE OUTCOME	School wide attendance rates will maintain at 95% or more.
METHODS OF MEASUREMENT	Average Daily Attendance Rate Chronic Absence Rate

SUB-PRIORITY B – STUDENT ABSENTEEISM RATES	
GOAL TO ACHIEVE SUB-PRIORITY	NJB will have fewer than 5% of students chronically absent. Goals for expected outcomes for sub group are listed below. Special Education, English Language Learner, Low-socioeconomic, African-American, Hispanic/Latino and Foster Youth. Each group will decrease a chronic absence rate to 10% .
ACTIONS TO ACHIEVE GOAL	The school will provide varied opportunities for students to become interested in school and learning through technology based activities, extended day and enrichment activities.
MEASURABLE OUTCOME	Decrease Chronic Absence rates, to 10%
METHODS OF MEASUREMENT	Chronic Absence Rate

STATE PRIORITY #6— SCHOOL CLIMATE	
<i>School climate, as measured by all of the following, as applicable:</i>	
<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 	

SUB-PRIORITY A – PUPIL SUSPENSION RATES	
GOAL TO ACHIEVE SUB-PRIORITY	NJB will maintain low suspension rates. Goals for expected outcomes for each sub group are listed below. Special Education, English Language Learner, Low-socioeconomic, African-American,

	Hispanic/Latino and Foster Youth. Each group will show a decrease in suspensions and maintain a 1.5% or less.
ACTIONS TO ACHIEVE GOAL	Develop and maintain safe school plan and relationships between staff and students to facilitate a safe, positive school climate. Social emotional support will be provided through Leader in Me, LIKESKILLS, counseling services, Student Support Center staff.
MEASURABLE OUTCOME	Maintain suspension rate at less than 1.5%.
METHODS OF MEASUREMENT	Suspension rate

SUB-PRIORITY B – PUPIL EXPULSION RATES	
GOAL TO ACHIEVE SUB-PRIORITY	NJB School will maintain low expulsion rates. Goals for expected outcomes for each sub group are listed below. Special Education, English Language Learner, Low-socioeconomic, African-American, Hispanic/Latino and Foster Youth. Each group will show a zero-expulsion rate and maintain.
ACTIONS TO ACHIEVE GOAL	Develop and maintain safe school plan and relationships between staff and students to facilitate a safe, positive school climate. Social emotional support will be provided through Leader in Me, LIKESKILLS, counseling services, Student Support Center staff.
MEASURABLE OUTCOME	Maintain expulsion rate of 0%
METHODS OF MEASUREMENT	Expulsion rate

SUB-PRIORITY C – OTHER SCHOOL SAFETY AND SCHOOL CONNECTEDNESS MEASURES (SURVEYS)	
GOAL TO ACHIEVE SUB-PRIORITY	School stakeholders will feel satisfied with the academic rigor, structure, safety and communication of the Charter School.

ACTIONS TO ACHIEVE GOAL	NJB will administer an annual survey each year and track the families who have responded.
MEASURABLE OUTCOME	Parents and/or guardians of students at NJB Charter will be satisfied with the academic rigor, structure, safety and communication of the Charter School. 80% or more of parents will demonstrate satisfaction on these metrics through an annual survey, with 70% or more of families responding. Staff at NJB will be satisfied with the academic rigor, structure, safety and communication of the Charter School. 80% or more of staff will demonstrate satisfaction on these metrics through an annual survey, with 80% or more of staff responding.
METHODS OF MEASUREMENT	Annual family survey and an annual staff survey.

STATE PRIORITY #7— PUPIL ACCESS TO BROAD COURSE OF STUDY	
The extent to which pupils have access to, and are enrolled in, a broad course of study that includes all of the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable, including the programs and services developed and provided to unduplicated pupils and	

individuals with exceptional needs, and the program and services that are provided to benefit these pupils as a result of the funding received pursuant to Section 42238.02, as implemented by Section 42238.03. (Section 51210 describes subjects for grades 1 to 6: English, Mathematics, Social Studies, Science, Visual and Performing Arts, Health, P.E. Section 51220 is for grades 7-12)

SUB-PRIORITY A – PUPIL ACCESS

GOAL TO ACHIEVE SUB-PRIORITY	NJB will maintain all content areas required by state standards.
ACTIONS TO ACHIEVE GOAL	NJB uses different curriculum than traditional schools, every scholar will have access to all curriculums to access content knowledge.
MEASURABLE OUTCOME	Maintain study trips, at no-cost to scholars, classroom and school materials, such as laptops and texts.
METHODS OF MEASUREMENT	Measure one to one pupil access of materials and curriculum through audit.

STATE PRIORITY #8— PUPIL OUTCOMES RELATED TO COURSE OF STUDY

Pupil outcomes, if available, in the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable. (Section 51210 describes subjects for grade 1 to 6: English, Mathematics, Social Studies, Science, Visual and Performing Arts, Health, P.E. Section 51220 is for grades 7-12)

SUB-PRIORITY A – PUPIL ACCESS

GOAL TO ACHIEVE SUB-PRIORITY	NJB will maintain all common assessments built in units of study that demonstrate mastery of content areas required by state standards.
ACTIONS TO ACHIEVE GOAL	NJB uses common assessments that every scholar will take to measure mastery of content knowledge. Staff will progress monitor scholar growth.
MEASURABLE OUTCOME	Scholar will be at grade level readiness and master the CCSS through access of a broad course of study.
METHODS OF MEASUREMENT	Measure pupil progress in common assessments, benchmarks, and exit tickets.

NJB ADDITIONAL PRIORITY— ACHEIVEMENT OF SCHOOL MISSION

Develop responsible, respectful, and proactive citizens to become caretakers of our community, our state, our country, and our planet.

- (A) Every scholar develops a firm foundation in the basic academic skills of reading, writing, math, and science.
- (B) Every scholar becomes linguistically, socially, and culturally prepared to meet new experiences, solve new problems, and take responsibility for his/her own learning.
- (C) Every scholar becomes a self-motivated, competent, lifelong learner, and a well-versed advocate of democracy. Scholars think critically, collaborate with others, communicate effectively, demonstrate moxie, and understand technology.

SUB-PRIORITY A – FOUNDATIONAL MATH AND READING SKILLS

GOAL TO ACHIEVE SUB-PRIORITY	NJB will maintain all common assessments built in foundational math and reading skills that demonstrate mastery required by state standards.
ACTIONS TO ACHIEVE GOAL	NJB uses common assessments that every scholar will take to measure mastery foundational skills. Staff will progress monitor scholar growth.

MEASURABLE OUTCOME	Scholar will be at grade level readiness and master foundational skills.
METHODS OF MEASUREMENT	Measure pupil progress in common assessments, benchmarks, and exit tickets.
SUB-PRIORITY B AND C – CRITICAL THINKING AND PROBLEM SOLVING	
GOAL TO ACHIEVE SUB-PRIORITY	Scholars will demonstrate higher levels of rigor by creating performance tasks built in units of study that demonstrate mastery of content areas required by state standards.
ACTIONS TO ACHIEVE GOAL	Scholars will complete a performance task at the end of unit of study, that demonstrates a deep knowledge of key concepts and enduring understandings. Staff will progress monitor scholar growth.
MEASURABLE OUTCOME	Scholars will be able to analyze, create and evaluate tasks to demonstrate higher level thinking.
METHODS OF MEASUREMENT	Measure pupil progress in performance task and culminating projects using Hess’ rigor matrix and Highly Effective Teaching rubrics.

N J B First-Year Budget, Three-Year Cash Flow, Three-Year Projections

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

I. First-Year Operational Budget

February 15, 2019

A. Summary of revenue and expenditures

The first-year operational budget presented here is in draft form showing a working balance of \$115,153.16. NJB just started its budget development process for 2019-20. The draft budget and the multi-year projections represent the minimum needed to operate the charter program. During the next four months, the community, staff, administration, and Steering Committee will discuss how to best spend the working balance to achieve the goals in the charter. An approved budget and three-year projections will be submitted to the district by June 30, 2019, as required by law.

The working balance consists of money from different budget resources such as Title I and restricted lottery. There are specific rules for using money from these resources. Restricted lottery, for example can only be use for instructional materials. Title I under the new Every Student Succeeds Act (ESSA) permits funds from this resource to be used for a broad array of activities that support providing all students a well-rounded education. EPA, Supplemental, and Concentration funds from LCFF, though unrestricted, must be used to improve the education of students who generated the money. Moreover, EPA cannot be used for administrative purposes.

The first-year budget is summarized in Figure 1. A detailed line-by-line budget appears at the end of this document beginning on Page 14.

Figure 1. Summary of revenue and expenditures 2/15/2019

Summary of Revenue	Unrestricted	Restricted	Total
1. Local Control Funding Formula			2,931,659.07
District In Lieu property tax	555,038.04		
Educational Protection Account (EPA)	56,400.00		
State aid designated as base grant	1,712,416.80		
State aid designated as supplemental	407,604.14		
State aid designated as concentration	200,200.09		
2. Other State Funding			62,233.47
Mandated Block Grant	4,705.47	-	
Lottery unrestricted	42,582.00	-	
Lottery restricted	-	14,946.00	
3. Federal Funding			52,508.00
Federal Title 1	-	52,508.00	
Total Projected Revenue	2,978,946.54	67,454.00	3,046,400.54
Summary of Expenses	Unrestricted	Restricted	Total
1000 Staff Salaries – Certificated	1,143,587.24	0.00	1,143,587.24
2000 Staff Salaries – Classified	180,587.17	1,040.00	181,627.17
3000 Employee Benefits	744,130.50	312.83	744,443.33
4000 Supplies & Materials	20,165.00	15,331.39	35,496.39
5000 Services & Operating Expenditures	378,136.88	525.00	378,661.88
7000 Other Outgo	359,481.59	0.00	359,481.59
Total Projected Expenses	2,826,088.38	17,209.22	2,843,297.60
Surplus/(Deficit) = Revenue minus Expenses	152,858.16	50,244.78	203,102.94
Minus 3% reserve of LCFF revenue	(87,949.77)		
Working balance after subtracting reserve	64,908.38	50,244.78	115,153.16

N J B First-Year Budget, Three-Year Cash Flow, Three-Year Projections

B. Revenue assumptions

1. Enrollment of 300 pupils with ADA of 94%. Generally, enrollment peaks during the third school month. When projecting enrollment, we assumed the 302 scholars enrolled on January 10, 2019 would move up to the next grade in 2019-20 as shown in Table 1. Interestingly, enrollment continued to grow. On February 15, 2019, 308 scholars were enrolled; six more than a month earlier. The estimated enrollment for 2019-20 is consistent with the steady growth since NJB opened in 2014-15, as shown in Table 2.

Table 1. Projected enrollment on 1/10/2019

Year	K	1 st	2 nd	3 rd	4 th	5 th	6 th	Total	K-3	4-6 th
2018-19	47	31	51	46	41	35	51	302	175	127
2019-20	48	48	31	51	46	41	35	300	178	122
2020-21	48	48	48	31	51	46	41	313	175	138
2021-22	48	48	48	48	31	51	46	320	192	128
2022-23	48	48	48	48	48	31	51	322	192	130
2023-24	48	48	48	48	48	48	31	319	192	127

Table 2. Average annual enrollment and average daily attendance (ADA) reported on Infinite Campus 2014-15 to 2018-19 and projections for 2019-20 to 2022-23

Year	K-3	4 th -6 th	Total
2014-15	Enroll 164.34 ADA 154.72: 94.15%	Enroll 87.6 ADA 82.87: 94.60%	Enroll 251.94 ADA 237.59: 94.30%
2015-16	Enroll 173.02 ADA 163.84: 94.69%	Enroll 84.79 ADA 81.48: 96.10%	Enroll 257.81 ADA 245.32: 95.16%
2016-17	Enroll 170.22 ADA 161.41: 94.82%	Enroll 114.66 ADA 110.07: 96.00%	Enroll 284.88 ADA 271.48: 95.30%
2017-18	Enroll 166.96 ADA 155.95: 93.41%	Enroll 112.25 ADA 105.79 94.24%	Enroll 279.21 ADA 261.74: 93.74%
2018-19 Aug 6 to Feb 15	Enroll 169.81 ADA 157.98: 93.03%	Enroll 127.19 ADA 120.45: 94.70%	Enroll 297.00 ADA 278.43: 93.75%
2019-20	Enroll 178 ADA 167.32: 94%	Enroll 122 ADA 114.68: 94%	Enroll 300 ADA 282: 94%
2020-21	Enroll 175 ADA 166.25: 95%	Enroll 138 ADA 131: 95%	Enroll 313 ADA 297: 95%
2021-22	Enroll 192 ADA 182.40: 95%	Enroll 128 ADA 121.60: 95%	Enroll 320 ADA 304: 95%
2022-23	Enroll 192 ADA 182.40: 95%	Enroll 130 ADA 123.50: 95%	Enroll 322 ADA 305.90: 95%

N J B First-Year Budget, Three-Year Cash Flow, Three-Year Projections

2. Variables in the School Services of California Dartboard. When calculating revenue, we used the values presented by School Services of California in its January 2019 Dartboard. The values are shown in Table 3.

Table 3. Revenue planning factors in the governor's 2019-20 proposed budget

	2018-19	2019-20	2020-21	2021-22
COLA	3.7%	3.46%	2.86%	2.92%
LCFF Base Grant K-3	\$7,459	\$7,717	\$7,937.71	\$8,169.49
LCFF K-3 Adjustment Factor	10.4%	10.4%	10.4%	10.4%
LFFF K-3 Adjustment Amount	755.74	\$803	\$825.52	\$849.63
LCFF K-3 Adjusted Base Grant	\$8,234.74	\$8,520	\$8,763.23	\$9,019.11
LCFF Base Grant 4 th -6 th	\$7,571.00	\$7,833	\$8,057.02	\$8,292.29
Lottery unrestricted per ADA	\$151.00	\$151.00	\$151.00	\$151.00
Lottery restricted per ADA	\$53.00	\$53.00	\$53.00	\$53.00
Mandate Block Grant per prior year ADA	\$16.33	\$16.90	\$17.38	\$17.89

3. UPP at 87.70% in 2019-20. Apparently, more students new to NJB in 2018-19 did not qualify for the Free-Reduced Meal program. This reduced the UPP for 2018-19 and 2019-20. It appears the number of unduplicated pupils may be decreasing. It also means an increase of students from higher socio-economic levels than found in 2014-15 when NJB opened. Table 4 shows how the UPP was calculated. In addition, district staff projected the SCUSD UPP to be 72.23% in 2019-20.

Table 4. Calculating the Unduplicated Pupil Percentage (UPP) for NJB

Year ->	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20 projected	2020-21 projected	2021-22 projected
CALPADS Enrollment as of first Wed. in Oct.	260	263	290	283	295	300.00	313.00	320.00
CALPADS UPP count as of first Wed. in Oct.	237	253	275	261	239	270.00	266.05	272.00
Current year UPP	91.15%	96.20%	94.83%	92.23%	81.02%	90.00%	85.00%	85.00%
3-year enrollment: current year + 2 prior years	260	523	813	836	868	878	908.00	933.00
3-year UPP: current year + 2 prior years	237	490	765	789	775	770	775.05	808.05
% UPP for current year + 2 prior years. This is used to calculate LCFF revenue	91.15%	93.69%	94.10%	94.38%	89.29%	87.70%	85.36%	86.61%
SCUSD UPP	71.41%	71.88%	70.69%	71.42%	71.70%	72.23%	72.23%	72.23%

N J B First-Year Budget, Three-Year Cash Flow, Three-Year Projections

4. Carryover. Currently, there is a projected carryover from 2018-19 of \$142,468.03. It is not included in either the 2019-20 budget or the three-year projections. The amount is not definite. The carryover amount may decreased due to possible increases in 2018-19 for rent, administrative services, and the special education encroachment that the district has not yet calculated.

In November 2019 after the district closes its 2018-19 financial books, the Steering Committee will decide how to spend the carryover and then revise the 2019-20 budget to reflect their decision.

Except in 2016-17, the carryover has steadily declined as NJB established itself and came to understand the historical cost of ongoing expenses, as shown in Table 5. For example, understanding the average cost of utilities allowed the annual budget to be more accurate and reduced the need to over budget.

Table 5. Carryover funds from prior year as of 2/15/2019

Year ->	2014-15	2015-16	2016-17 *	2017-18	2018-19 projected	2019-20
Revenue without prior year carryover	1,959,887.00	2,384,028.00	2,644,423.19	2,655,670.27	2,974,995.82	3,046,400.54
Carryover to the next year	219,690.33	223,129.82	296,162.69	206,191.13	142,468.03	
Carryover as percent of current year revenue	11.21%	9.36%	11.20%	7.76%	4.79%	

* Some one-time grants were received but not expensed in 2016-17. As a result the carryover amount and percentage is larger. They were expensed in 2017-18. These grants include the Effective Educator Grant and a one-time incentive from the district for meeting sign-up goals for the Free-Reduced Meals program.

The carryover funds should be treated as one-time funds for one-time expenses that are not on-going. Salaries for classroom teachers are an example of an on-going expense. Buying an outdoor awning to protect scholars from the hot sun on the playground is an example of a one-time expense.

C. Expenditure assumptions

1. Staff salaries, benefits, and payroll taxes. The salary schedule for each employee's bargaining unit was used to identify his/her individual annual salary. As such, the 2019-20 budget reflects step and column movement for each employee on his/her respective salary schedule. In addition, the district budget office provided projected expenses for health benefits. The rates for employer payroll taxes paid by NJB for employees came from Business Services Bulletin 2018-19 No. BS-19, dated January 10, 2019.
2. Retirement benefits. The increasing Cal STRS and Cal PERS rates found in the School Services of California Dartboard (January 2019) were used in the attached budget and are listed in Table 6.

N J B First-Year Budget, Three-Year Cash Flow, Three-Year Projections

Table 6. Rates set by the state

	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
District oversight. % of LCFF revenue.	1%	1%	1%	1%	1%	1%	1%	1%
Cal STRS employer rate	8.88%	10.73%	12.58%	14.43%	16.28%	17.10%	18.10%	18.10%
Cal PERS employer rate	11.771%	11.847%	13.88%	15.531%	18.062%	20.70%	23.40%	24.50%

3. Rent or Pro Rata Share. Per Proposition 39, the rate for renting district space is based on the amount of prior year unrestricted general fund revenue spent on facilities cost divided by the total square feet of district facilities that year. (www.cde.gov./sp/cs/as/proposition39.asp). The district provided the rates shown in Table 7 that were used in the first-year budget and in the multi-year projections.

Table 7. Pro rata share or rent per square foot - January 30, 2019

Rental rate per square foot	2014-15 actual	2015-16 actual	2016-17 actual	2017-18 actual	2018-19 projected at One-Stop 1/30/19	2019-20 projected at One-Stop 1/30/19	2020-21 projected 3% increase	2021-22 projected 3% increase
Rate per square foot for rent or pro rata share	\$ 1.84	\$ 1.73	\$ 1.91	\$ 1.98	\$ 2.86	\$ 2.93	\$ 3.02	\$ 3.11
% increase		-6.0%	10.4%	3.7%	44.4%	2.5%	3.0%	3.0%

4. Special Education encroachment. The annual encroachment contribution rate is based on the district’s current year general fund contribution to Special Education divided by the enrollment in the SCUSD on the third school month. Originally, the district estimated the 2019-20 contribution rate to be \$1,244 per student. Then it was revised to \$1,144.23. At NJB’s One-Stop meeting the 2019-20 rate was revised a third time to \$1,100.55. The 2018-19 rate was also changed from \$930.00 to \$1,052.65.

The district budget office projected NJB’s 2019-20 contribution to be \$330,165.00 as shown in Table 8. They also projected an annual 19% increase beginning in 2020-21.

Table 8 Special Education Contribution to Cover Encroachment to District’s General Fund

Special Ed encroachment	2014-15 actual	2015-16 actual	2016-17 actual	2017-18 actual	2018-19 projected at One-Stop 1/30/19	2019-20 projected at One-Stop 1/30/19	2020-21 projected 19% increase	2021-22 projected 19% increase
Annual \$ rate per 3rd month enrollment	568.62	671.09	766.38	867.82	\$930 1,052.65	\$ 1,100.55	1,374.45	1,635.60
% increase/ student		18.02%	14.20%	13.24%	21.30%	4.55%	19.00%	19.00%
3rd month enrollment	253.00	260.00	286.00	281.00	294.00	300.00	313.00	320.00
Expense \$	143,860.86	174,483.40	219,184.68	243,857.42	309,479.10	330,165.00	430,202.85	523,390.56

N J B First-Year Budget, Three-Year Cash Flow, Three-Year Projections

5. Administrative services purchased from district. Each year, NJB purchases the administrative services listed in Table 9. According to district staff, the average cost of all services is projected to increase 13% in 2019-20 and in following years. This seems high and not consistent with the past four years. Historically, the annual rate for each service is determined by dividing the current-year cost of operating a service by the number of district students who are enrolled during the third school month. The rate for each service is then multiplied by NJB's third month enrollment.

Table 9. Annual rates for district administrative services

X students enrolled the 3 rd school month	2014-15 actual	2015-16 actual	2016-17 actual	2017-18 actual	2018-19 May 2018 projected	2019-20 13% increase	2020-21 13% increase	2021-22 13% increase
Accounting	10.46	11.67	10.89	26.98	28.33	32.01	36.17	40.88
Budget - including student attendance	21.72	20.3	22.56	25.84	27.13	30.66	34.64	39.15
Human Resources	67.22	72.75	72.95	84.01	88.21	99.68	112.64	127.28
Employee Compensation/Payroll	17.74	18.29	21.35	23.17	24.33	27.49	31.07	35.11
Risk Management/ Employee Benefits	7.53	6.08	7.21	10.22	10.73	12.12	13.70	15.48
Property/Liability Insurance	45.17	41.77	38.54	37.2	39.06	44.14	49.88	56.36
Purchasing/Warehouse	28.11	30.29	30.68	35.21	36.97	41.78	47.21	53.34
Mail Service	3.93	4.41	4.22	4.78	5.02	5.67	6.41	7.24
Safe Schools Coordination	29.92	31.57	35.27	38.05	39.95	45.14	51.01	57.64
Network infrastructure and support	70.58	81.82	126.88	147.63	156.37	176.70	199.67	225.63
Assessment, Research & Evaluation	18.34	14.43	24.39	15.92	16.17	18.27	20.65	23.33
Pupil Services/Hearing Office	17.82	15.46	15.21	16.1	16.91	19.11	21.59	24.40
Cost per enrolled student	338.54	348.84	410.15	465.11	489.18	552.77	624.63	705.84
% Increase per enrolled student		3.04%	17.58%	13.40%	5.18%	13.00%	13.00%	13.00%
3rd month enrollment	253	260	286	281	294	300.00	313.00	320.00
Total based on 3rd month enrollment	\$ 85,650.62	\$ 90,698.40	\$117,302.90	\$130,695.91	\$143,818.92	\$165,832.02	\$195,510.42	\$225,867.63
% Increase annually		5.89%	29.33%	11.42%	10.04%	15.31%	17.90%	15.53%
Facility Security. Cost per site	2,734.09	2,482.98	2,345.55	2,742.04	2,879.89	3,254.28	3,677.33	4,155.38
Alarm pad cost for one panel	114.48	65.08	69.50	56.00	59.28	66.99	75.69	85.53
Total flat rate services	\$2,848.57	\$2,548.06	\$2,415.05	\$2,798.04	\$2,939.17	\$3,321.26	\$3,753.03	\$4,240.92
% Increase flat rate fees		6.57%	5.42%	5.35%	4.20%	4.38%	4.38%	4.38%
Grand Total Admin Services	\$ 88,499.19	\$ 93,246.46	\$119,717.95	\$133,493.95	\$146,758.09	\$169,153.28	\$199,263.45	\$230,108.55
% Increase annually		5.36%	28.39%	11.51%	9.94%	15.26%	17.80%	15.48%
Total cost per 3rd month enrolled student	\$ 349.80	\$ 358.64	\$ 418.59	\$ 475.07	\$ 499.18	\$ 563.84	\$ 636.62	\$ 719.09
% Increase per enrolled student		2.53%	16.72%	13.49%	5.08%	12.95%	12.91%	12.95%

6. Programs at NJB paid by other entities at no expense to NJB. Since opening in the 2014-15 school year, various programs partnered with NJB to established themselves on the campus. They provide services to NJB students and to the community. NJB coordinates with each program. The programs do no charge NJB for their services. The programs include an after school program, *Reading Partners*, and a district pre-school.

II. Start-Up Costs

Upon renewal, 2019-20 will be New Joseph Bonnheim's (NJB) sixth year of operation. As such, the first-year budget does not have any start-up expenses.

III. Cash Flow for Years 1, 2, and 3

Cash flow is not an issue, as demonstrated in Figures 2, 3, and 4. The ending monthly balance is positive for each of the next 36 months. During each of the three years, however, there is a negative profit/loss for the months of August, September, December, March, and June.

Just in case it is needed, during the past 25 years the district has covered the cash flow of its dependent charter schools. In return, the dependent charter schools purchased administrative services, including budget and accounting services. They have also remained part of the SCUSD SELPLA and contributed to the Special Education encroachment to the district's general fund.

The prior year carryover is not included in the cash flow analysis. Once the carryover amount is finalized in November of each year, it will be added to the revised budget and the cash flow analysis.

N J B First-Year Budget, Three-Year Cash Flow, Three-Year Projections

Figure 2. Year 1 Cash Flow 2019-20

Revenue	July 2019	Aug 2019	Sept 2019	Oct 2019	Nov 2019	Dec 2019	Jan 2020	Feb 2020	Mar 2020	Apr 2020	May 2020	June 2020	Sept. 2020 Lottery Q4 2019-20
In Lieu Property Tax	46,253.17	46,253.17	46,253.17	46,253.17	46,253.17	46,253.17	46,253.17	46,253.17	46,253.17	46,253.17	46,253.17	46,253.17	
EPA			14,100.00			14,100.00			14,100.00			14,100.00	
State Aid	116,011.05	116,011.05	208,819.89	208,819.89	208,819.89	208,819.89	208,819.89	208,819.89	208,819.89	208,819.89	208,819.89	208,819.89	
Mandated Block Grant						4,705.47							
Lottery unrestricted						10,645.50			10,645.50			10,645.50	10,645.50
Lottery restricted						500.00						5,446.00	9,000.00
Title 1	52,508.00												
Carry Over 2018-19: 142,468.03?													
Monthly Cash In	214,772.22	162,264.22	269,173.06	255,073.06	255,073.06	285,024.03	255,073.06	255,073.06	279,818.56	255,073.06	255,073.06	285,264.56	19,645.50

Expenditures	July 2019	Aug 2019	Sept 2019	Oct 2019	Nov 2019	Dec 2019	Jan 2020	Feb 2020	Mar 2020	Apr 2020	May 2020	June 2020	Sept. 2020
1000 Certificated Salaries		113,354.31	104,110.79	102,866.47	102,866.47	103,310.87	102,866.47	102,866.47	104,110.79	102,866.47	104,644.07	99,724.01	
2000 Classified Salaries	10,376.27	15,233.46	15,518.46	15,838.46	14,100.36	17,588.46	15,838.46	15,838.46	15,838.46	15,838.46	15,753.46	13,864.37	
3000 Benefits	41,278.17	65,727.47	63,938.61	63,782.52	63,259.70	64,399.04	63,782.52	63,782.52	64,034.86	63,782.52	64,117.45	62,557.99	
4000 Materials and Supplies	1,450.00	8,900.00	9,647.64	2,550.00	1,100.00	1,916.25	2,550.00	1,100.00	1,916.25	2,550.00	1,100.00	716.25	
5000 Services		720.00	104,482.72			88,668.72			86,732.72	8,225.00	3,100.00	86,732.72	
7000 Other outgo			89,870.40			89,870.40			89,870.40			89,870.40	
Monthly Cash Out	53,104.44	203,935.24	387,568.62	185,037.45	181,326.53	365,753.75	185,037.45	183,587.45	362,503.49	193,262.45	188,714.98	353,465.74	0.00

Monthly Profit/Loss	161,667.79	(41,671.02)	(118,395.56)	70,035.61	73,746.53	(80,729.72)	70,035.61	71,485.61	(82,684.93)	61,810.61	66,358.08	(68,201.18)	19,645.50
Prior month ending balance		161,667.79	119,996.76	1,601.20	71,636.81	145,383.34	64,653.63	134,689.24	206,174.85	123,489.92	185,300.53	251,658.61	183,457.43
Monthly Balance	161,667.79	119,996.76	1,601.20	71,636.81	145,383.34	64,653.63	134,689.24	206,174.85	123,489.92	185,300.53	251,658.61	183,457.43	203,102.93

N J B First-Year Budget, Three-Year Cash Flow, Three-Year Projections

Figure 3. Year 2 Cash Flow 2020-21

Revenue	July 2020	Aug 2020	Sept 2020	Oct 2020	Nov 2020	Dec 2020	Jan 2021	Feb 2021	Mar 2021	Apr 2021	May 2021	June 2021	Sept. 2021 Lottery Q4 2020-21
In Lieu Property Tax	48,770.85	48,770.85	48,770.85	48,770.85	48,770.85	48,770.85	48,770.85	48,770.85	48,770.85	48,770.85	48,770.85	48,770.85	-
EPA			14,867.50			14,867.50			14,867.50			14,867.50	
State Aid	125,699.39	125,699.39	226,258.90	226,258.90	226,258.90	226,258.90	226,258.90	226,258.90	226,258.90	226,258.90	226,258.90	226,258.90	
Mandated Block Grant						4,901.16							
Lottery unrestricted						11,224.96			11,224.96			11,224.96	11,224.96
Lottery restricted						500.00						6,259.55	9,000.00
Title 1	45,868.00												
Carryover from 2019-20													
Monthly Cash In	220,338.24	174,470.24	289,897.26	275,029.76	275,029.76	306,523.38	275,029.76	275,029.76	301,122.22	275,029.76	275,029.76	307,381.77	20,224.96

Expenditures	July 2020	Aug 2020	Sept 2020	Oct 2020	Nov 2020	Dec 2020	Jan 2021	Feb 2021	Mar 2021	Apr 2021	May 2021	June 2021	Sept. 2021
1000 Certificated Salaries		115,297.59	106,054.07	104,809.75	104,809.75	105,254.15	104,809.75	104,809.75	106,054.07	104,809.75	106,587.35	101,667.29	
2000 Classified Salaries	10,528.67	15,489.04	15,801.54	16,121.54	14,357.54	17,871.54	16,121.54	16,121.54	16,121.54	16,121.54	16,009.04	14,042.67	
3000 Benefits	45,423.98	71,585.32	69,720.73	69,560.84	68,982.60	70,229.06	69,560.84	69,560.84	69,825.63	69,560.84	69,902.23	68,210.67	
4000 Materials and Supplies	1,627.50	1,540.00	9,777.64	2,857.50	1,230.00	2,046.25	2,857.50	1,230.00	2,046.25	2,857.50	1,230.00	716.25	
5000 Services		720.00	97,989.64	11,900.00		97,775.64			95,839.64	8,225.00	3,100.00	95,839.64	
7000 Other outgo			114,444.61			114,444.61			114,444.61			114,444.61	
Monthly Cash Out	57,580.15	204,631.94	413,788.23	205,249.62	189,379.89	407,621.24	193,349.62	191,722.12	404,331.74	201,574.62	196,828.62	394,921.13	-

Monthly Profit/Loss	162,758.09	(30,161.70)	(123,890.98)	69,780.13	85,649.87	(101,097.87)	81,680.13	83,307.63	(103,209.52)	73,455.13	78,201.14	(87,539.36)	20,224.96
Prior month ending balance		162,758.09	132,596.39	8,705.41	78,485.55	164,135.42	63,037.55	144,717.68	228,025.31	124,815.79	198,270.92	276,472.06	188,932.70
Monthly Balance	162,758.09	132,596.39	8,705.41	78,485.55	164,135.42	63,037.55	144,717.68	228,025.31	124,815.79	198,270.92	276,472.06	188,932.70	209,157.66

N J B First-Year Budget, Three-Year Cash Flow, Three-Year Projections

Figure 4. Year 3 Cash Flow 2021-22

Revenue	July 2021	Aug 2021	Sept 2021	Oct 2021	Nov 2021	Dec 2021	Jan 2022	Feb 2022	Mar 2022	Apr 2022	May 2022	June 2022	Sept. 2022 Q4 Lottery 2021-22
In Lieu Property Tax	49,861.57	49,861.57	49,861.57	49,861.57	49,861.57	49,861.57	49,861.57	49,861.57	49,861.57	49,861.57	49,861.57	49,861.57	
EPA			15,200.00			15,200.00			15,200.00			15,200.00	
State Aid	134,124.88	134,124.88	241,424.78	241,424.78	241,424.78	241,424.78	241,424.78	241,424.78	241,424.78	241,424.78	241,424.78	241,424.78	
Mandated Block Grant						5,319.59							
Lottery unrestricted						11,476.00			11,476.00			11,476.00	11,476.00
Lottery restricted						500.00						6,612.00	9,000.00
Title 1	45,868.00												
Carryover from 2020-21													
Monthly Cash In	229,854.45	183,986.45	306,486.35	291,286.35	291,286.35	323,781.94	291,286.35	291,286.35	317,962.35	291,286.35	291,286.35	324,574.35	20,476.00

Expenditures	July 2021	Aug 2021	Sept 2021	Oct 2021	Nov 2021	Dec 2021	Jan 2022	Feb 2022	Mar 2022	Apr 2022	May 2022	June 2022	Sept. 2022
1000 Certificated Salaries		118,511.68	109,268.16	108,023.84	108,023.84	108,468.24	108,023.84	108,023.84	109,268.16	108,023.84	109,801.44	104,881.38	
2000 Classified Salaries	10,528.67	15,749.04	16,061.54	16,381.54	14,491.54	18,131.54	16,381.54	16,381.54	16,381.54	16,381.54	16,269.04	14,168.67	
3000 Benefits	49,737.07	76,725.01	74,863.87	74,707.49	74,067.16	75,394.96	74,707.49	74,707.49	74,972.28	74,707.49	75,047.65	73,289.05	
4000 Materials and Supplies	1,680.00	1,580.00	9,807.64	2,940.00	1,260.00	2,076.25	2,940.00	1,260.00	2,076.25	2,940.00	1,260.00	716.25	
5000 Services		720.00	87,130.96	32,110.15		107,127.11			105,191.11	8,225.00	3,100.00	105,191.11	
7000 Other outgo			137,981.62			137,981.62			137,981.62			137,981.62	
Monthly Cash Out	61,945.74	213,285.73	435,113.78	234,163.02	197,842.54	449,179.72	202,052.87	200,372.87	445,870.96	210,277.87	205,478.13	436,228.08	-

Monthly Profit/Loss	167,908.71	(29,299.28)	(128,627.43)	57,123.33	93,443.81	(125,397.78)	89,233.48	90,913.48	(127,908.61)	81,008.48	85,808.22	(111,653.73)	20,476.00
Prior month ending balance		167,908.71	138,609.43	9,982.00	67,105.33	160,549.15	35,151.37	124,384.85	215,298.34	87,389.73	168,398.21	254,206.43	142,552.70
Monthly Balance	167,908.71	138,609.43	9,982.00	67,105.33	160,549.15	35,151.37	124,384.85	215,298.34	87,389.73	168,398.21	254,206.43	142,552.70	163,028.70

IV. Financial Projections for the First Three Years of Operation

The future is one of relatively flat funding combined with increasing expenses for salaries, benefits, district administrative services, rent, and Special Education encroachment. During the past five years there has been a steady increase in funding as the state moved towards full funding of the Local Control Funding Formula. In 2019-20, schools will be fully funded and future increases in state funding will be limited to cost of living adjustments (COLA).

In addition to revenue leveling-off, NJB like all public schools in California will face rising costs. Employer contributions, for example, to both CalSTRS and CalPERS will increase. Expenses will also increase as staff move up the salary schedule. Moreover, in 2019-20, SCUSD is increasing the price of rent, administrative services, and Special Education encroachment. This means the adopted 2019-20 budget cannot simply be a mirror of last year's budget.

In 2019-20, we expect an annual current-year funding increase of approximately \$71,000.00 compared to last year's level. This is due mainly to increasing the enrollment by three and the ADA by 3.5 as well as the 3.46% COLA. The increase would be larger if the governor included a one-time grant as was done in previous years. In each year since 2016-17, there were annual one-time grants of \$52,31.00, \$39,865.00, and \$42,158.00 respectively. That practice appears to end in 2019-20.

Figure 5 on the next page summarizes the financial projections for the next three years.

N J B First-Year Budget, Three-Year Cash Flow, Three-Year Projections

Figure 5. Multi-year projections

Assumptions	2018-19 (through 2/15/19)	2019-20 (projected)	2020-21 (projected)	2021-22 (projected)
Average Daily Enrollment	297.00	300.00	313.00	320.00
Average Daily Attendance (ADA)	278.43	282.00	297.35	304.00
Percent ADA	93.75%	94.00%	95.00%	95.00%
Kinder-3rd ADA	157.98	178.00	175.00	192.00
4th-6th ADA	120.45	122.00	138.00	128.00
Unduplicated Pupil Percentage (UPP). Used to calculate supplemental grant.	89.29%	87.70%	85.36%	86.61%
SCUSD UPP	71.70%	72.23%	72.23%	72.23%
Percent exceeding 55% of lower UPP between NJB and district. Used to calculate concentration grant	16.70%	17.23%	17.23%	17.23%
Revenue by Resource and Year	2018-19 (through 2/15/19)	2019-20	2020-21	2021-22
LCFF Total ->	2,792,794.41	2,931,659.07	3,158,708.04	3,341,636.39
LCFF Base	2,212,850.54	2,323,854.84	2,513,162.42	2,653,428.70
LCFF Supplemental	395,170.85	407,604.14	429,036.68	459,614.80
LCFF Concentration	184,773.02	200,200.09	216,508.94	228,592.88
Mandated block grant	4,274.05	4,705.47	4,901.16	5,319.59
One-time block grant	48,158.32			
One-time Low Performing Students block grant	1,976.02			
Lottery unrestricted	42,042.93	42,582.00	44,899.85	45,904.00
Lottery unrestricted prior year adjustment	6,757.52			
Lottery restricted	14,756.79	14,946.00	15,759.55	16,112.00
Lottery restricted prior year adjustment	7,264.78			
Federal Title I	56,971.00	52,508.00	45,868.00	45,868.00
Donations				
Prior year carryover all sources except donations	206,191.13	To be determined	To be determined	To be determined
Total Revenue	3,181,186.95	3,046,400.54	3,270,136.60	3,454,839.98
Expenses by Object Code and Year	2018-19 (through 2/15/19)	2019-20	2020-21	2020-21
1000 series. Certificated salaries	1,290,511.50	1,143,587.24	1,164,963.24	1,200,318.24
2000 series. Classified salaries	199,372.11	181,627.17	184,707.73	187,307.73
3000 series. Benefits	763,271.09	744,443.33	812,123.57	872,927.00
4000 series. Materials and supplies	35,341.27	35,496.39	30,016.39	30,536.39
5000 series. Services	410,481.29	378,661.88	411,389.58	448,795.44
7000 series. Other outgo: District oversight plus Special Education contribution	339,741.66	359,481.59	457,778.43	551,926.48
Total Expenses	3,038,718.92	2,843,297.60	3,060,978.94	3,291,811.28
Balance: Revenue minus Expenses	142,468.03	203,102.94	209,157.66	163,028.70
Minus reserve: 3% of LCFF revenue	(83,783.83)	(87,949.77)	(94,761.24)	(100,249.09)
Working balance after subtracting reserve	58,684.20	115,153.16	114,396.42	62,779.61

V. Line-by-line details of the First-Year Budget

Beginning on the next page, 2019-20 budget expenditures are presented in a line-by-line format group by object codes. First, expenses are presented in the 1000 object code series for certificated salaries. They are followed by expenses in the 2000 series (classified salaries), 3000 series (benefits), 4000 series (materials and supplies), 5000 series (services), and 7000 series (other out go).

Each page is organized so the resource used to pay for a line item is easily identifiable. At the top of each page is a summary of revenue, expenditures, and balance by resource.

Next steps:

1. As mentioned at the beginning of this document, during the next four months the NJB community will be discussing and then deciding how to spend the working balance described in the budget.
2. The budget will be further updated by Steering Committee after the governor presents his May budget revisions.
3. More updates may be necessary after the legislature passes a budget bill by June 15 for the governor to sign.
4. The 2019-20 NJB budget must be adopted by Steering Committee and submitted to the district by June 30.
5. If NJB submits a budget before the governor signs the state budget and if the NJB budget is not consistent with the signed budget, NJB has 30 days after the signing to update the NJB budget to align with the new state budget.



N J B First-Year Budget, Three-Year Cash Flow, Three-Year Projections

\$2019-20 NJB Budget 2019-02-19 full 94%.xlsx 2019-20 1000 2000 3000 summary

D	E	F	G	H	I	J	K
Summary by Resource							Total:
Allocation	52,508.00	14,946.00	2,314,742.31	56,400.00	200,200.09	407,604.14	3,046,400.54
Expenditure	2,952.83	14,256.39	2,225,265.95	52,858.88	143,151.89	404,811.67	2,843,297.60
Minus reserve	-	-	(87,949.77)	-	-	-	(87,949.77)
Working Balance	49,555.17	689.61	1,526.59	3,541.12	57,048.20	2,792.47	115,153.16
Check Sum: - - - - - - - -							
Funding source for each line item by resource and object code.	3010 Title 1 SW: restricted	6300 Restricted Lottery including carry over	0000 Unrestricted includes: 1) In lieu property, 2) unrestricted lottery, 3) mandated grants, 4) LCFF base grant not 1400,0007,0009	1400 EPA use for non admin use	0009 LCFF Concentration LEP	0007 LCFF Supplemental Grant Free & Reduced	Total
1000 Certificated Salaries							
1101 Classroom Teachers x 14. Salaries: \$952,522.00. Benefits: \$555,742.74. Total \$1,508,264.74. Average benefits: \$39,695.91. Salaries in 2018-19 = \$926,758.00; an increase of \$25,764.00	-	-	640,829.15	33,727.85	92,051.00	185,914.00	952,522.00
1101 Resource Teacher. Salary: \$81,351.00. Benefits: \$31,632.33. Total \$ 112,983.33 projected for 2019-20 if retain.	-	-	-	-	-	-	-
1102 Substitute teachers for sick/personal necessity days. Budget 8 days each for 14 teachers @ \$203.25/day average. Some subs higher than others. Plus 12 days roving sub for academic conferences.	-	-	19,430.70	894.30	1,626.00	3,252.00	25,203.00
1903 Extra pay for extra duty: 14 teachers attending Thursday training: 4 times x 2 hrs x 44.44/hr x 14 teachers. Salaries: \$4,977.28. Benefits: \$1,009.87. Total \$5,987.15.	-	-	-	-	-	4,977.28	4,977.28
1903 Extra pay/extra duty: 14 teachers attending 2 days pre-service training. 2 days x 6.5 hrs/day x 44.44/hr x 14. Salaries: \$10,487.84. Benefits: \$2,127.93. Total \$12,615.77.	-	-	-	-	-	10,487.84	10,487.84
1903 Collaboration. 3hrs/month at per session rate of \$44.44/hr. 3 hrs x 10 months x 44.44/hr x 14 teachers. Salaries: \$18,664.80. Benefits: \$3,786.99. Total \$22,451.79.	-	-	-	-	-	18,664.80	18,664.80
1903 Extra pay for extra duty: Teachers attending SST meetings after school. Up to 6 teachers with cases/week x 30 weeks @ 44.44/hr . Salaries: \$7,999.20. Benefits: \$1,623.00. Total: \$9622.20.	-	-	-	-	-	7,999.20	7,999.20
1903 Extra pay for extra duty: two teachers @ 44.44/hr x 20 hours x 2 teacher for Nature Bowl. Salaries: \$1,777.60. Benefits: \$360.67. Total: \$2,138.27.	-	-	-	-	-	1,777.60	1,777.60
1903 Tutoring @ \$45/hr . Phase 1. Amount shown from 2018-19. Salaries: \$9,917.50. Benefits: \$2,012.21. Total \$11,929.71.	-	-	-	-	-	-	-
1903 Tutoring @ \$45/hr . Phase 2. Projected amount shown from 2018-19. Salaries: \$15,750.00. Benefits: \$3,195.60. Total \$18,945.60.	-	-	-	-	-	-	-
1903 Tutoring @ \$45/hr . Phase 3. Projected amount shown from 2018-19. Salaries: \$20,250.00. Benefits: \$4,108.62. Total \$24,358.62.	-	-	-	-	-	-	-
1311 Principal. Salary \$121,955.52. Benefits: \$44,961.46. Total \$166,916.98.	-	-	121,955.52	-	-	-	121,955.52
Total 1000 Series	-	-	782,215.37	34,622.15	93,677.00	233,072.72	1,143,587.24
check sum with 2017-18 1000 2000 3000 tab-> - - - - - - - -							
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N J B First-Year Budget, Three-Year Cash Flow, Three-Year Projections

\$2019-20 NJB Budget 2019-02-19 full 94%.xlsx 2019-20 1000 2000 3000 summary

D	E	F	G	H	I	J	K
Summary by Resource							Total:
Allocation	52,508.00	14,946.00	2,314,742.31	56,400.00	200,200.09	407,604.14	3,046,400.54
Expenditure	2,952.83	14,256.39	2,225,265.95	52,858.88	143,151.89	404,811.67	2,843,297.60
Minus reserve	-	-	(87,949.77)	-	-	-	(87,949.77)
Working Balance	49,555.17	689.61	1,526.59	3,541.12	57,048.20	2,792.47	115,153.16
Check Sum: - - - - - - - -							
Funding source for each line item by resource and object code.	3010 Title 1 SW: restricted	6300 Restricted Lottery including carry over	0000 Unrestricted includes: 1) In lieu property, 2) unrestricted lottery, 3) mandated grants, 4) LCFF base grant not 1400,0007,0009	1400 EPA use for non admin use	0009 LCFF Concentration LEP	0007 LCFF Supplemental Grant Free & Reduced	Total
2000 Classified Salaries							
2253 Child care Title 1. \$13/hr. 8 hrs/month x 10 months x \$13.	1,040.00	-	-	-	-	-	1,040.00
2221 1.0 FTE custodian. Range 34 Col 5.	-	-	37,539.52	-	-	-	37,539.52
2224 custodial overtime. \$32.00 in 2018-19.	-	-	-	-	-	-	-
2221 1.0 FTE plant manager. Range 43 Col 5 in 2018-19.	-	-	44,823.00	-	-	-	44,823.00
2222 8 days for custodian and 8 days for plant manager in case need sick leave.	-	-	2,560.00	-	-	-	2,560.00
2204 Food Services overtime for school events using kitchen.	-	-	1,000.00	-	-	-	1,000.00
2401 3.5-hour clerk Range 29 Col 4 in 2018-19.	-	-	11,269.94	-	-	-	11,269.94
2401 1.0 FTE Office Manager. Range 44 Step 4 in 2018-19.	-	-	42,152.71	-	-	-	42,152.71
2402 substitute for office manager and clerk if sick. Plan 8 days each @ \$125/day for former and \$60/day for latter.	-	-	1,480.00	-	-	-	1,480.00
2404 office manager over time. \$193.92 in 2018-19.	-	-	-	-	-	-	-
2000 School Community Liaison III. 3 hrs/day. \$11,732. Source: district One-Stop planning document.	-	-	-	-	-	-	-
2000 Two instructional aides for 3 hrs each for 180 days each @ \$9,434/ aide. Source: district One-Stop planning document. Total: \$18,868.00.	-	-	-	-	-	-	-
2000 4-H Program 3 leaders each \$500 as per diem. 2 others with contracts. \$1,000 each for two 4-H coordinators.	-	-	-	-	-	3,500.00	3,500.00
2000 Part-time farm coordinator to coordinate use of the farm and to irrigate. \$1,500.	-	-	-	-	-	1,500.00	1,500.00
2901 FOUR yard duty each at 3.5 hrs, @\$13/hr x 191 days. Morning and lunch duty. Jan'19 \$12. Jan'20 \$13. Jan 21 \$14. Jan 2022 \$15. For 2019-20 use \$13/hr.	-	-	34,762.00	-	-	-	34,762.00
Total 2000 Series	1,040.00	-	175,587.17	-	-	5,000.00	181,627.17
check sum with 2017-18 1000 2000 3000 tab->							
check sum w/ summary tab->							

N J B First-Year Budget, Three-Year Cash Flow, Three-Year Projections

\$2019-20 NJB Budget 2019-02-19 full 94%.xlsx 2019-20 1000 2000 3000 summary

	D	E	F	G	H	I	J	K
1	Summary by Resource							
2								Total:
3	Allocation	52,508.00	14,946.00	2,314,742.31	56,400.00	200,200.09	407,604.14	3,046,400.54
4	Expenditure	2,952.83	14,256.39	2,225,265.95	52,858.88	143,151.89	404,811.67	2,843,297.60
5	Minus reserve	-	-	(87,949.77)	-	-	-	(87,949.77)
6	Working Balance	49,555.17	689.61	1,526.59	3,541.12	57,048.20	2,792.47	115,153.16
7	Check Sum: - - - - - - - -							
8	Funding source for each line item by resource and object code.	3010 Title 1 SW: restricted	6300 Restricted Lottery including carry over	0000 Unrestricted includes: 1) In lieu property, 2) unrestricted lottery, 3) mandated grants, 4) LCFF base grant not 1400,0007,0009	1400 EPA use for non admin use	0009 LCFF Concentration LEP	0007 LCFF Supplemental Grant Free & Reduced	Total
45	3000 Benefits							
46	3101 STRS 17.1% in 2019-20. 18.1% in 20/21 & 21/22	-	-	133,758.83	5,920.39	16,018.77	39,855.44	195,553.42
47	3202 PERS 20.70% -19/20. 23.4% -20/21. 24.5%- 21/22	215.28	-	36,346.54	-	-	1,035.00	37,596.82
48	3301 and 3302 Social Security OASDI 6.2%	64.48	-	10,886.40	-	-	310.00	11,260.88
49	3311 and 3312 Medicare 1.45%	15.08	-	13,888.14	502.02	1,358.32	3,452.05	19,215.61
50	3501 and 3502 State Unemployment Insurance	0.52	-	480.75	17.40	46.99	123.52	669.17
51	3601 and 3602 Workers Comp Insurance	17.47	-	16,091.08	581.65	1,573.77	3,999.62	22,263.60
52	3401 and 3402 Projected H/W benefits combined including: 1) medical, 2) dental, 3) visions, 4) life insurance, and 5) post retirement. Increases in future	-	-	328,289.19	11,215.27	30,477.04	87,902.32	457,883.82
53	Total 3000 Series	312.83	-	539,740.93	18,236.73	49,474.89	136,677.95	744,443.33

N J B First-Year Budget, Three-Year Cash Flow, Three-Year Projections

\$2019-20 NJB Budget 2019-02-19 full 94%.xlsx 2019-20 4000 5000 7000

	D	E	F	G	H	I	J	K	
2	Summary by Resource								Total:
3	Allocation	52,508.00	14,946.00	2,314,742.31	56,400.00	200,200.09	407,604.14	3,046,400.54	
4	Expenditure	2,952.83	14,256.39	2,225,265.95	52,858.88	143,151.89	404,811.67	2,843,297.60	
5	Minus reserve			(87,949.77)				(87,949.77)	
6	Working Balance	49,555.17	689.61	1,526.59	3,541.12	57,048.20	2,792.47	115,153.16	
7	Check Sum:								
8	Funding source for each line item by resource and object code.	3010 Title 1 SW: restricted	6300 Restricted Lottery including carry over	0000 Unrestricted includes: 1) In lieu property, 2) unrestricted lottery, 3) mandated grants, 4) LCFF base grant not 1400,0007,0009	1400 EPA use for non admin salaries	0009 LCFF Concentration LEP	0007 LCFF Supplemental Grant Free & Reduced	Total	
9	4000 Supplies								
10	4000 Instructional materials - e.g., books:								
11	4310 Other Instructional materials using supplemental and concentration.						-	-	
12	4310 i-ready consumables.		7,731.39					7,731.39	
13	\$ 7,731.39	<- Total Instructional Materials							
14	Other Supplies and Materials:								
15	Parent Academy.	1,600.00						1,600.00	
16	4310 Garden/Farm materials to support school minifarm.			765.00				765.00	
17	4310 Student incentives. \$1,500 in 2018-19.			-				-	
18	4310 Instructional materials/supplies. \$20/enrolled scholar per each teacher. Includes material's lab.		6,000.00					6,000.00	
19	4410 PE replacement equipment. \$500 in 2018-19.			-				-	
20	4310 4-H supplies.			500.00				500.00	
21	4320 Office supplies @ \$10/scholar x number enrolled.			2,000.00				2,000.00	
22	4310 Instructional supplies schoolwide including lamin film, Riso ink and master, and replacement equipment like projector bulbs @\$10/scholar.			3,000.00				3,000.00	
23	4320 Medical and Health supplies. \$1/scholar.			300.00				300.00	
24	4320 Leader in Me training materials.			7,500.00				7,500.00	
25	4320-05-0000-8200 Custodial supplies \$21/scholar enrolled. Includes money for air filters which need changing 3 to 4 times per year. This is a unit code "5" item. Does not include support from DHS.			5,800.00				5,800.00	
26	4710 Food for ELAC and Title 1 parent meetings. Budget office say cannot use Title 1 funds-9/7/2018.			300.00				300.00	
27	\$ 27,765.00	<- Total Other Supplies and Materials							
28	Total 4000 Series	1,600.00	13,731.39	20,165.00	-	-	-	35,496.39	
29								-	
30								-	
31								TBA	
32									

N J B First-Year Budget, Three-Year Cash Flow, Three-Year Projections

\$2019-20 NJB Budget 2019-02-19 full 94%.xlsx 2019-20 4000 5000 7000

	D	E	F	G	H	I	J	K	
2	Summary by Resource								Total:
3	Allocation	52,508.00	14,946.00	2,314,742.31	56,400.00	200,200.09	407,604.14	3,046,400.54	
4	Expenditure	2,952.83	14,256.39	2,225,265.95	52,858.88	143,151.89	404,811.67	2,843,297.60	
5	Minus reserve			(87,949.77)				(87,949.77)	
6	Working Balance	49,555.17	689.61	1,526.59	3,541.12	57,048.20	2,792.47	115,153.16	
7	Check Sum:								
8	Funding source for each line item by resource and object code.	3010 Title 1 SW: restricted	6300 Restricted Lottery including carry over	0000 Unrestricted includes: 1) In lieu property, 2) unrestricted lottery, 3) mandated grants, 4) LCFF base grant not 1400,0007,0009	1400 EPA use for non admin salaries	0009 LCFF Concentration LEP	0007 LCFF Supplemental Grant Free & Reduced	Total	
33	5000 Services								
34	5230 Travel and conferences:								
35	5310 Memberships:								
36	5310-00-0000-2700 Membership CSDC for charter consultation services @ \$3/student.							-	
37	5810 membership: 4-H after school program						1,436.00	1,436.00	
38	\$ 1,436.00	<- Total Membership and conferences							
39	5500 Housekeeping and operations use unrestricted funds based on 1/2019 projections in One-Stop documents:								
40	5510-05-0000-8200 Electricity SMUD. Paid quarterly.			33,664.00				33,664.00	
41	5520-05-0000-8200 Natural gas SPURR based on prior years.			199.00				199.00	
42	5540-05-0000-8200 Waste removal by Republic based on prior years.			2,291.00				2,291.00	
43	5550-05-0000-8200 Water & sewage. Operations. thru City of Sac.			17,556.00				17,556.00	
44	\$ 53,710.00	<- Total Housekeeping and operations							
45	5600 Rental and service agreements:								
46	5610 Annual Riso Service Agreement. Use unrestricted funds.			425.00				425.00	
47	5610. Copier rental from Ray Morgan Co.			3,000.00				3,000.00	
48	5600 service agreement with ESGI software for K, 1, 2. One unit per grade level.		525.00					525.00	
49	5800 Curriculum Associates for iReady 1 year license. Includes training for staff. This line item related to Professional Development.						11,900.00	11,900.00	
50	5800 Software license for "Remind App."						1,200.00	1,200.00	
51	5751-05-0000-8100 Charter Services Maintenance: Rent or Pro Rata Share. 41,320 SF @ \$2.19/SF in 2018-19 then revised to \$2.86 at One-Stop Staffing. District projects \$2.93 in 2019-20 and 3% annual increase there after.			121,067.60				121,067.60	
52	\$ 138,117.60	<- Total Rental and service agreements							
53	5751-05-0000-8100 Charter Services: Rates shown from May 2018 Letter of Intent, but calculation increased rate by 13% then multiplied by 300 students when applicable.								
54	1. Accounting \$28.33 as of May 2018 plus 13% increase for 2019-20.			9,603.87				9,603.87	
55	2. Budget \$27.13 as of May 2018 plus 13% increase for 2019-20.			9,197.07				9,197.07	
56	3. Human Resources \$88.21 as of May 2018 plus 13% increase for 2019-20.			29,903.19				29,903.19	
57	4. Employee Compensation \$24.33 as of May 2018 plus 13% increase for 2019-20.			8,247.87				8,247.87	

N J B First-Year Budget, Three-Year Cash Flow, Three-Year Projections

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5	Minus reserve			(87,949.77)				(87,949.77)	
6	Working Balance	49,555.17	689.61	1,526.59	3,541.12	57,048.20	2,792.47	115,153.16	
7	Check Sum:								
8	Funding source for each line item by resource and object code.	3010 Title 1 SW: restricted	6300 Restricted Lottery including carry over	0000 Unrestricted includes: 1) In lieu property, 2) unrestricted lottery, 3) mandated grants, 4) LCFF base grant not 1400,0007,0009	1400 EPA use for non admin salaries	0009 LCFF Concentration LEP	0007 LCFF Supplemental Grant Free & Reduced	Total	
58	5. Risk Management/Employee Benefits \$10.73 as of May 2018 plus 13% increase for 2019-20.			3,637.47				3,637.47	
59	6. Property/Liability Insurance \$39.06 as of May 2018 plus 13% increase for 2019-20.			13,241.34				13,241.34	
60	7. Purchasing/Warehouse \$36.97 as of May 2018 plus 13% increase for 2019-20.			12,532.83				12,532.83	
61	8. Mail service \$5.02 as of May 2018 plus 13% increase for 2019-20.			1,701.78				1,701.78	
62	10. Safe Schools Coordination \$39.95 as of May 2018 plus 13% increase for 2019-20.			13,543.05				13,543.05	
63	11. Facility Security. Cost per site regardless of size.			3,254.28				3,254.28	
64	13. Alarm pad \$59.28/panel as of May 2018 plus 13% increase for 2019-20.			66.99				66.99	
65	14. Network infrastructure and hardware support \$156.37 as of May 2018 plus 13% increase for 2019-20.			53,009.43				53,009.43	
66	15. Assessment, Research & Eval \$16.17 as of May 2018.			5,481.63				5,481.63	
67	16. Pupil Services/Hearing Office \$16.91 as of May 2018 plus 13% increase for 2019-20.			5,732.49				5,732.49	
68	169,153.28	<- Total admin services provided by SCUSD							
69	5775 Duplicating services for annual student and staff handbooks. Student HB Spanish and English versions.			720.00				720.00	
70	5800 Professional Services:								
71	5800 4-H Program five contracts each \$500 for 5 4-H leaders. \$1,000 contract each for two 4-H coordinators. Two leaders paid by contract as shown here. Three paid per diem in 2000 series.					1,000.00		1,000.00	
72	5800 High Quality First Teacher (HQFT) training. Includes orientation for new teachers. Was \$4,000 in 2018-19. Principal will do training in 2019-20.							-	
73	5800 GLAD professional development. \$1,850/teacher x 2 teachers who have not yet been trained.					3,700.00		3,700.00	
74	\$ 4,700.00	<--Total Professional services							
75	5911 200 stamps x 51¢.	-		-				-	
76	5765 District Transportation and 5810 Tickets/Admission:	Study trips. A list of study trips will be presented to SC for approval and includes the annual 6th grade week-long Sly Park experience @ 235/scholar plus \$1,300 for round trip transportation.							
77	5810. 6th grade. Sly park \$235/scholar x 35 6th graders.						8,225.00	8,225.00	
78	5800. 6th grade. Transportation to Sly Park.						2,600.00	2,600.00	
79	5810. 4th grade & K grade. High Hill Ranch/Apple Hill. Tickets for 50 pupils and adults. \$490.00 in 2018-19.							-	
80	5810. 4th & Kinder Grade. Abel's Apple Acres. 41 Tickets Pupils & adults. P19-02294. P19-01409. \$205.00 in 2018-19.							-	

N J B First-Year Budget, Three-Year Cash Flow, Three-Year Projections

\$2019-20 NJB Budget 2019-02-19 full 94%.xlsx 2019-20 4000 5000 7000

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2	Summary by Resource								Total:
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4	Expenditure	2,952.83	14,256.39	2,225,265.95	52,858.88	143,151.89	404,811.67	2,843,297.60	
5	Minus reserve			(87,949.77)				(87,949.77)	
6	Working Balance	49,555.17	689.61	1,526.59	3,541.12	57,048.20	2,792.47	115,153.16	
7	Check Sum:								
8	Funding source for each line item by resource and object code.	3010 Title 1 SW: restricted	6300 Restricted Lottery including carry over	0000 Unrestricted includes: 1) In lieu property, 2) unrestricted lottery, 3) mandated grants, 4) LCFF base grant not 1400,0007,0009	1400 EPA use for non admin salaries	0009 LCFF Concentration LEP	0007 LCFF Supplemental Grant Free & Reduced	Total	
81	5810. 4th & Kinder Grade. Abel's Apple Acres. Tickets 80 Pupils & 16 adults. P19-022945 P19-01184. \$480.00 in 2018-19.							-	
82	5810. 4th grade. IMAX. Tickets 44 pupils and 8 adults. R19-02861. P19-01878. \$540.00 in 2018-19.							-	
83	5810. 3rd grade. City of Roseville Maidu Museum. Tickets Parents. R19-01633. P19-00741. \$110.00 in 2018-19.							-	
84	5810. 3rd grade. City of Roseville Maidu Museum. Tickets Pupils. R19-01633. P19-00741. \$450.00 in 2018-19.							-	
85	5810. 3rd grade. Sac History Museum. R19-02914. P19-01879. \$430.00 in 2018-19.							-	
86	5810. 2nd grade. World of Wonders Science Museum. Tickets Pupils. R19-01973. P19-01120. \$283.00 in 2018-19.							-	
87	5810. __ Grade. Sutter's Fort. Tickets Pupils. R19-02149. P19-01209. \$230.00 in 2018-19.							-	
88	5810. __ Grade. Bishops Pumpkin Farm/ Hamburger Farm. \$59.50. Tickets Parents. R19-02236. P19-01324. \$59.50 in 2018-19.							-	
89	5810. __ Grade. Bishops Pumpkin Farm/ Hamburger Farm. \$374.00. Tickets Pupils. R19-02236. P19-01324. \$374.00 in 2018-19.							-	
90	5800. __ Grade. Amador Stage Lines. R19-01963. P19-01037 Invoice #80192. \$898.88 in 2018-19.							-	
91	5800. __ Grade. Amador Stage Lines. R19-01963. P19-01037 Invoice #80193. 898.88 in 2018-19.							-	
92	5832. __ Grade. Amador Stage Lines. R19-02344. P19-01698. \$1,629.00 in 2018-19.							-	
93	All other study trips to be determined. \$7,187.93 in 2018-19.							-	
94	10,825.00	<- Total Study Trips							
95									
96	Total 5000 Series	-	525.00	348,075.88	-	-	30,061.00	378,661.88	
97								-	
98								-	
99	7000 Other Outgo: Required Services								
100	7619-05-0000-9300 Other authorized inter fund transfers out -for charter oversight 1% of LCFF at 3rd month enrollment			29,316.59				29,316.59	
101	7619-05-5001-9300 Other authorized inter fund transfer out. Goal 5001 is SPED: Special Ed encroachment. \$867.82 in 2017-18. \$930 in 2018-19. At 1-Stop staffing for 2019-20 it became \$1,100.55			330,165.00				330,165.00	
102	Total 7000 Series	-	-	359,481.59	-	-	-	359,481.59	

Appendix 3.g.

Suspension and Expulsion Procedures

Per the support documentation attached, New Joseph Bonnheim has included a clear statement of the procedural and due process rights for suspension expulsion, and involuntary removal of a student.

New Joeseph Bonnheim is clarifying the renewal petition with a clear statement in regards to Counseling Out Scholars: "NJB does not participate in counseling out scholars of school. It is not a practice as the charter seeks to keep all scholars."

New Joseph Bonnheim understands and is committed to ensure the appropriate use of law enforcement to control student behavior.

This support documentation describes in detail the procedures and due process that will be prevented in the event that these procedures become necessary to use and contain a clear explanation of these procedures, including those prescribed by Education Code section 47605, subd. (b)(5)(J):

The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:

(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present his or her side of the story.

(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:

(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.

(II) Provide 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.

(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date

of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform him or her of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).

Our efforts to create zero to near-zero suspensions include the following strategies:

A. Create a sense of belonging, safety, and hope. The educational program described in Element 1 is designed to promote social-emotional adolescent growth in the Leader in Me Program and body/brain compatible learning. The school also uses adolescent-brain-compatible strategies (ABCs) to engage scholars combined with how the program controls time and space, resulting in a sense of belonging, safety, and hope. NJB becomes a school where: 1) staff members and scholars create a school-wide culture that is firm, fair, and consistent; 2) scholars engage with meaningful and interesting curriculum; 3) staff members help each and every scholar master the curriculum; 4) staff members know each scholar by name and need; 5) staff and scholars collectively develop a strong sense of right and wrong; 6) scholars learn how to solve problems and channel anger; 7) scholars learn how to understand and manage one's emotions; and practice the 7 habits to healthy and happy 8) staff members guide scholars to understand who they are today and who they can become tomorrow.

B. Understand the root cause of the misbehavior. Each suspension reflects failure of some part of NJB's program. After each occurrence of suspension, an after-action review team will be convened to determine what led to the suspension and what needs to be done to prevent a future occurrence on the part of: 1) the institutional/school procedures, 2) the staff, and 3) the student. The team will include the principal, a teacher, a safety committee member, and the office manager.

C. Using alternatives to suspension. Whenever possible, NJB will seek alternatives to suspension— e.g., community service and mentoring on school grounds.

D. Training to help get all staff on the same page. At the beginning of each school year and as new staff join the school, the principal will review and lead a discussion on: 1) how NJB builds a positive school climate, 2) the school's discipline policy, 3) procedures for suspension and expulsion, 4) the school's safety program, and 5) the school-wide effort to reduce suspension to zero or near zero.

Both the current policies and procedures are based on Ed. Code Sections 48900 – 48927, which define the rules and processes for suspension and expulsion of all students as well as specific subgroups such as special needs students, foster youth, and homeless students.

Both updated policies and the procedures related to scholar discipline will be distributed as part

of the school’s scholar handbook and will clearly describe expectations regarding attendance, mutual respect, substance abuse, violence, safety, and work habits. Each scholar and his/her parent will be required to verify they have reviewed and understand the policies and procedures.

Identified Offences in Which Scholars Must or May Be Suspended or Expelled

The following list identifies the sections of the California Education Code that governs scholar behavior and the consequences in the district Standards of behavior that may be applied. Most violations allow for a range of disciplinary action. Some consequences may occur simultaneously.

A scholar may be disciplined for the following acts that are related to school activity or school attendance occurring at any district school, or within any other school district, including, but not limited to, any of the following:

- While on school grounds.
- While going to or coming from school.
- During the lunch period whether on or off campus.
- During, going to, or coming from a school sponsored activity.

Suspended scholars are not permitted on or near any Sacramento City Unified School District campus, nor are they allowed to participate in any school activities during the period of suspension. **New Joseph Bonnheim understands and is committed to ensure the appropriate use of law enforcement to control student behavior when needed.**

Table 31. Identified Offences of Suspension and Expulsion

Mandatory Expulsion [E.C. 48915(c)]	Alternative to Suspension	Shall Suspend	Shall Expel
c1 Sale, possession or furnishing of a firearm.	no	yes 5 days	yes
c2 Brandishing a knife at another person.	no	Yes 5 days	yes
c3 Selling a controlled substance.	no	yes 5 days	yes
c4 Sexual assault or sexual battery.	no	yes 5 days	yes
c5 Possession of Explosives.	no	yes 5 days	yes
Mandatory Recommendation for Expulsion [E.C. 48915(a)]	Alternative to Suspension	Shall Suspend	Shall Recommend Expulsion
a1 Causing serious physical injury to another person, except in self-defense.	no	yes 5 days	yes
a2 Possession of any knife, explosive, or other dangerous object of no reasonable use to the pupil.	no	yes 5 days	yes
a3 Unlawful possession of any drug except for the first offense of possession of not more than one ounce of marijuana.	no	yes 5 days	yes

a4 Robbery or extortion.	no	yes 5 days	yes
a5 Assault or battery upon a school employee.	no	yes 5 days	yes
1. Acts of Violence [E.C. 48900(a)]	Alternative to Suspension	May Suspend	May Recommend Expulsion
a1 Caused, attempted to cause, or threatened to cause physical injury to another person.	may be considered	yes 3-5 days	yes
a2 Willfully used force or violence upon another person, except in self-defense.	may be considered	yes 5 days	yes
2. Weapons and Dangerous Objects [E.C. 48900(b)]	Alternative to Suspension	May Suspend	May Recommend Expulsion
Possession, sale, or furnishing of weapons (knife, gun, sharp object, club, or an object that could inflict injury) or explosive.	may be considered	yes 3-5 days	yes
3. Drugs and Alcohol [E.C. 48900(c)]	Alternative to Suspension	May Suspend	May Recommend Expulsion
Possession, use, sale or otherwise furnishing, or being under the influence of alcohol or drugs.	may be considered	yes	yes
4. Sale of "look-alike" Drugs and Alcohol [E.C. 48900(d)]	Alternative to Suspension	May Suspend	May Recommend Expulsion
Offering, arranging, or negotiating to sell drugs, alcohol, or any intoxicant and then substituting a look-alike substance intended to represent drugs, alcohol, or an intoxicant.	may be considered	yes	yes
5. Robbery or Extortion [E.C. 48900(e)]	Alternative to Suspension	May Suspend	May Recommend Expulsion
Committed or attempted to commit robbery or extortion.	may be considered	yes	yes
6. Damage of Property [E.C. 48900(f)]	Alternative to Suspension	May Suspend	May Recommend Expulsion
Cause, or attempt to cause, damage to school or private property including electronic files and databases.	may be considered	yes	yes
7. Theft or Stealing [E.C. 48900(g)]	Alternative to Suspension	May Suspend	May Recommend Expulsion
Stealing or attempting to steal school or private property including electronic files and databases.	may be considered	yes	yes
8. Tobacco [E.C. 48900(h)]	Alternative to Suspension	May Suspend	May Recommend Expulsion

Possession or use of tobacco or nicotine products.	may be considered	yes	yes
9. Profanity, Obscene Acts, Vulgarity [E.C. 48900(i)]	Alternative to Suspension	May Suspend	May Recommend Expulsion
1. Directed at peers.	may be considered	yes	yes
2. Directed at school personnel.	may be considered	yes	yes
10. Drug Paraphernalia [E.C. 48900(j)]	Alternative to Suspension	May Suspend	May Recommend Expulsion
Possessed, offered, arranged, or negotiated to sell any drug paraphernalia.	may be considered	yes	yes
11. Willful Defiance or Disruption of School Activities [E.C. 48900(k)]	Alternative to Suspension	May Suspend	May Recommend Expulsion
Failure to follow school rules.	may be considered	yes	yes
Failure to follow directive or instruction of staff or teachers.	may be considered	yes	yes
Failure to follow conduct code for school bus passengers.	may be considered	yes	yes
12. Possession of Stolen Property [E.C. 48900(l)]	Alternative to Suspension	May Suspend	May Recommend Expulsion
Knowingly receive stolen school property or private property.	may be considered	yes	yes
13. Imitation Firearm [E.C. 48900(m)]	Alternative to Suspension	May Suspend	May Recommend Expulsion
Possession of an imitation firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude the replica is a firearm.	may be considered	yes	yes
14. Sexual Assault or Sexual Battery [E.C. 48900(n)]	Alternative to Suspension	Shall Suspend	Shall Recommend Expulsion
Committed or attempted to commit sexual assault or battery.	no	yes	yes
15. Harassment of a Scholar Witness [E.C. 48900(o)]	Alternative to Suspension	May Suspend	May Recommend Expulsion

Harassed, threatened, or intimidated a scholar who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that scholar from being a witness and/or retaliating against that scholar for being a witness.	may be considered	yes	yes
16. Unlawful Drug Soma [E.C. 48900(p)]	Alternative to Suspension	May Suspend	May Recommend Expulsion
Offered, arranged to sell, negotiated to sell or sold the prescription drug Soma.	may be considered	yes	yes
17. Hazing [E.C. 48900 (q)]	Alternative to Suspension	May Suspend	May Recommend Expulsion
Engaged in or attempted to engage in hazing.	may be considered	yes	yes
18. Bullying [E.C. 48900®]	Alternative to Suspension	May Suspend	May Recommend Expulsion
Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261, directed specifically toward a pupil or school personnel.	may be considered	yes	yes
19. Aids or Abets [E.C. 48900(s)]	Alternative to Suspension	May Suspend	May Recommend Expulsion
The infliction or attempted infliction of physical injury to another person.	may be considered	yes	no, unless judged by a juvenile court to have committed as an aider or abettor causing serious injury. Expulsion would move forward under EC.48900 a1, or a2
20. Sexual Harassment [E.C. 48900.2]	Alternative to Suspension	May Suspend	May Recommend Expulsion
Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature. Applies to grades 4-12.	may be considered	yes	yes
21. Acts of Hate Violence [E.C. 48900.3]	Alternative to Suspension	May Suspend	May Recommend Expulsion

Cause, threaten, attempt to cause, or participate in an act of hate violence defined as willfully interfering with or threatening another person's personal or property rights because of race, ethnicity, national origin, disability or sexual orientation. Speech that threatens violence when the perpetrator has the apparent ability to carry out the threat, may be considered an act of hate violence. Applies to grade 4-12	may be considered	yes	yes
22. Other Harassment [E.C. 48900.4]	Alternative to Suspension	May Suspend	May Recommend Expulsion
Intentionally engaged in harassment, threats, or intimidation against district personnel or scholars that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or scholars by creating an intimidating or hostile educational environment. Grades 4-12 only.	may be considered	yes	yes
23. Terrorist Threats [E.C. 48900.7]	Alternative to Suspension	May Suspend	May Recommend Expulsion
Making terrorist threats against school officials and/or school property.	may be considered	yes	yes
24. Attendance	Alternative to Suspension	May Suspend	May Recommend Expulsion
Truant [E.C. 48260] Warning letter #1) Absent from school without a valid excuse.	Must be considered	no	no
Repeat truant [E.C. 48261] (Warning letter #2).	Must be considered	no	no
Habitual truant [E.C. 48262] (Warning letter #3) Any scholar truant three or more times per school year. Scholars who are habitually truant may be referred to the School Attendance Review Board (SARB) for further action.	Must be considered	no	no

Suspension and Expulsion Policies and Procedures

NJB will follow the district's policies and administrative regulations for suspension and expulsion.

NJB will maintain a safe learning environment while balancing a student's right to due process.

The Suspension Process

A. Behaviors that may result in suspension. Subsections (a) through (r) of Ed. Code Section 48900 describe 18 behaviors for which a student may be suspended. In addition, Ed. Code Sections 48900.2, 48900.3, 48900.4, and 48900.7 describe additional behaviors for which a student may be suspended.

A scholar may be suspended if one or more of the aforementioned behaviors is related to a school activity or school attendance occurring at the school or at any other school or a school-sponsored event at any time including, but not limited to, any of the following: i) while on school grounds; ii) while going to or coming from school; iii) during the lunch period, whether on or off the school campus; iv) during, going to, or coming from a school-sponsored activity.

B. Pre-suspension conference. Suspension shall be preceded, if possible, by a conference conducted by the Principal or the Principal's designee with the scholar and his or her parent and, whenever practical, the teacher, supervisor or school employee who referred the scholar to the Principal. 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. The purpose of the conference is to provide due process and to establish the truth of the matter based on the evidence provided.

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 scholars or school personnel. If a scholar is suspended without this conference, both the parent/guardian and scholar shall be notified of the scholar's right to return to school for the purpose of a conference. 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. The conference shall then be held as soon as the scholar is physically able to return to school for the conference.

No penalties may be imposed on a scholar for failure of his/her parent/guardian to attend a conference with school officials. Reinstatement of the suspended scholar shall not be contingent upon attendance by his/her parent/guardian at the conference.

When a teacher suspends a student from class, the teacher shall immediately report the suspension to the principal and send the student to the principal or the designee for appropriate action. As soon as possible, the teacher shall ask the parent/guardian of the student to attend a parent-teacher conference regarding the suspension. Teachers may also refer a student to the principal for consideration of a suspension.

C. Notice to parent/guardian. 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 scholar 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 scholar. In addition, the notice may also state the date and time when the scholar may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent guardian respond to such requests without delay.

If a scholar receives an in-house suspension and is assigned to a supervised suspension classroom, a school employee shall notify, in person or by telephone, the student's parent or guardian. Whenever a scholar is assigned to a supervised suspension classroom for longer than one class period, a school employee shall notify, in writing, the pupil's parent or guardian. - Ed Code 48911.1(d)

D. Suspension time limits. A teacher may suspend a student from class for the day of the suspension and the following day for any of the 18 behaviors listed in Ed. Code Section 48900 and shown in Figure 16 as items (a) through (r). The scholar shall not be returned to the class from which he or she was suspended, during the period of the suspension, without the concurrence of the teacher of the class and the principal. A scholar suspended from a class shall not be placed in another regular class during the period of suspension.

Suspensions issued by the principal or designee, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension.

Upon a recommendation of expulsion by the principal or principal's designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. The decision to extend a suspension is based on either of the following: 1) the pupil's presence will be disruptive to the educational 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.

The total number of days suspended from school in one school year shall not exceed 20 school days. (Ed. Code Section 48903(a))

The *Annual Parent and Student Rights Notification and Standards of Behavior Handbook* clearly describes expectations regarding attendance, mutual respect, substance abuse, violence, safety, and work habits. Any student who engages in violations of these expectations may be required to attend a meeting with the school's staff and student's parent/guardian.

Students who present an immediate threat to the health and/or safety of themselves or others may be immediately suspended by the school and later expelled by the district. NJB will notify the Behavior Office at SCUSD of all suspensions and will include suspension and expulsion data in its annual School Accountability Report Card (SARC).

NJB's behavioral expectations, policies, and rules will also be distributed in the form of a Parent/Student Handbook that will be given to every student at the beginning of the school year and upon new registration. The New Joseph Bonnheim Charter Scholar Family Handbook clearly describes expectations regarding attendance, mutual respect, substance abuse, violence, and safety and work habits. Each student and his or her parent(s) or guardian(s) will be required to verify that they have reviewed the policies and that they understand them, prior to enrollment. Any student who engages in violations of these expectations may be required to attend a meeting with the school's staff and the student's parent/guardian. A specific remediation agreement which includes restorative justice practices in accordance with the SCUSD policy will be written, to be

signed by student, parent/guardian, and executive director, outlining future student conduct expectations, timeliness, opportunities for restoration, and consequences for failure to meet the expectations which may include, but are not limited to suspension. (Please see NJB Scholar Family Handbook in Appendix A.)

NJB recognizes that exclusion from school by means of suspension or expulsion are consequences given as a last resort. At NJB, a set of discipline procedures reflecting this philosophy will be developed and adopted by the Steering Committee. The procedures will be consistent with NJB's character education program, which is based on the Lifelong Guidelines, the LIFESKILLS, and Efficacy. The procedures will also be consistent with SCUSD's Board policies and administrative regulations cited above.

In addition, the procedures will incorporate Jane Nelson's work as described in her book, *Positive Discipline*. Her work suggested that 90% of misbehavior is for getting attention. The call for attention may be a call for help. She attributes the other 10% of misbehavior to inadequacy, power, and revenge. She suggests that consequences should be related, reasonable, respectful, and build responsibility.

Each month, suspensions will be reviewed by staff and Steering Committee for adherence NJB's procedures, for due process, and for consistency with district policy and administrative regulations. Suspensions will also be reviewed with the notion that engaged students are not misbehaving students.

The principal may, pursuant to the school's adopted policies, discipline and ultimately suspend students who fail to comply with the terms of a remediation agreement. Students who present an immediate threat to the health and/or safety of themselves or others may be immediately suspended and referred to the Behavior Office at SCUSD for further discipline. NJB includes suspension and expulsion data in its annual School Accountability Report Card provided to the district.

In accordance with the law, New Joseph Bonnheim will comply with federal due process requirements for suspension and expulsion of regular and special education students. An individual with exceptional needs, as defined in Education Code Section 56026, may be suspended from school in accordance with Section 1415(k) of Title 20 the United States Code, the discipline provisions contained in Sections 300.530 to 300.537, inclusive, of Title 34 of the Code of Federal Regulations.

NJB will consult with SCUSD Student Hearing and Placement Office in considering the suspension or expulsion of an individual with exceptional needs and shall provide the authorizer approval rights over such action by the charter school as further defined by the memorandum of understanding between the authorizer and the charter school.

A. Authority to expel. A scholar may be expelled either by the SCUSD Board either following a hearing.

There are five suspendable behaviors that must automatically be considered for expulsion. Ed. Code Section 48915(a)(1) requires the principal or the superintendent to recommend expulsion for the following five acts, unless under the circumstances an alternative means of correction would address the conduct:

- Causing serious physical injury to another person, except in self-defense.
- Possession of any knife or other dangerous object of no reasonable use to the student.
- Unlawful possession of any controlled substance.
- Robbery or extortion.
- Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.

There are five suspendable behaviors also that must result in expulsion. Ed. Code Section 48915(c) requires the principal or superintendent to immediately suspend and then recommend expulsion to the district Board after determining that a student did any one of the following:

- Possessing, selling, or otherwise furnishing a firearm.
- Brandishing a knife at another person.
- Unlawfully selling a controlled substance.
- Committing or attempting to commit a sexual assault or committing a sexual battery.
- Possession of an explosive.

If the district finds that a student committed one of these just-mentioned five acts, *the governing board of a school district shall order a pupil expelled*. Ed. Code Section 48915(d)

In addition, per Ed. Code 48902(c), the principal or his/her designee are required to notify the Sacramento City Police and SCUSD Security if these just-mentioned behaviors are committed by either a student or a non-student.

Of all the suspendable items, only one cannot be the grounds for expulsion. It is shown as item (k) and refers to disrupting school activities and willful disobedience.

All other suspendable behaviors that have not been mentioned thus far are grounds for suspension if either of the following apply:

- Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
- Due to the nature of the misbehavior, the presence of the student causes a continuing danger to the physical safety of the student or others.

Expulsion hearing

Scholars recommended for expulsion are entitled to a hearing to determine whether the scholar 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 Hearing Office hears the case, it will make a recommendation to the SCUSD Board for a final decision whether to expel.

The hearing shall be held in closed session unless the pupil makes a written request for a public

hearing three (3) days prior to the hearing.

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

1. The date and place of the expulsion hearing;
2. A statement of the specific facts, charges, and offenses upon which the proposed expulsion is based;
3. A copy of the school's disciplinary rules, that relate to the alleged violation;
4. Notification of the scholar's or parent/guardian's obligation to provide information about the scholar's status at the school to any other school district or school to which the scholar seeks enrollment;
5. The opportunity for the scholar or the scholar'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 scholar's behalf including witnesses.

C. Special procedures for expulsion hearings involving sexual assault or battery. The school may, upon a finding of good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations, which shall be examined only by the school, panel chair, or the hearing officer in the expulsion. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days' notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The school must also provide the victim a room separate from the hearing room for the complaining witness's use prior to and during breaks in testimony.
3. At the discretion of the person or panel conducting the hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The person conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complainant.
5. The person conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause

to take the testimony during other hours.

6. To a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the person presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The person conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.

7. If one or both of the support persons is also a witness, the school must present evidence that the witness's presence is both desired by the witness and will be helpful to the school. The person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.

8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.

9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.

10. Evidence of specific instances of a complaining witness's 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.

D. 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.

E. 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 Hearing Office to expel must be supported by substantial evidence that the scholar committed an expellable offense.

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

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

The decision of the Hearing Office 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 district Board shall be made within ten (10) school days following the conclusion of the hearing. The decision of the SCUSD Board is final.

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

F. Written notice to expel. The principal or designee following a decision of the district Board to expel shall send written notice of the decision to expel, including the Board's adopted findings of fact, to the scholar or parent/guardian. This notice shall also include the following:

- Notice of the specific offense committed by the scholar
- Notice of the scholar or parent/guardian's obligation to inform any new district in which the scholar seeks to enroll of the scholar's status with the school.

The Principal or designee shall send a copy of the written notice of the decision to expel to SCUSD. This notice shall include the following:

- The scholar's name
- The specific expellable offense committed by the scholar

The Board's decision to expel shall be final.

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

H. Readmission. The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be the sole discretion of the SCUSD Board

following a meeting with the principal and the pupil and guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The principal shall make a recommendation to the district Board following the meeting regarding his or her determination. The pupil's readmission is also contingent upon the school's capacity at the time the scholar seeks readmission.

I. Alternative education. Expelled students shall be responsible for seeking alternative education programs including, but not limited to, programs within the county or their school district of residence.

7. Disciplinary Records

New Joseph Bonnheim will notify SCUSD of any expulsions and will include suspension and expulsion data in the annual performance report. In addition, NJB shall maintain records of all scholar suspensions and expulsions at the school. Such records shall be made available to SCUSD upon request.

Procedures for Informing Parents and Pupils About Reasons for Suspension and Expulsion and Due Process Rights

NJB follows the district's policy and procedures for informing parents and pupils about reasons for suspension and expulsion. The policy is the Principal contacts the parents and pupils of suspensions or expulsions. More information can be found in the district's Annual Parent and Student Rights Notification and Standards of Behavior Handbook.

Due Process for Scholars with Disabilities

There are specific rules for suspending or disciplining a student with disabilities. Generally, a student with a disability may be suspended or placed in an alternative educational setting to the same extent that these options apply to students without disabilities. When a student with disabilities is in such a placement for more than ten days, an IEP meeting must be held to consider the appropriateness of the student's current placement and the extent to which the disability is the cause of the misconduct.

Regardless of the student's placement, the district must provide a free appropriate educational program for your child.

New Joseph Bonnheim Charter School's policies and rules are distributed in the form of a Scholar Family Handbook to every student at the beginning of the school year. In accordance with law, NJB will comply with federal due process requirements for suspension and expulsion of regular and special education students. An individual with exceptional needs, as defined in Education Code Section 56026, may be suspended or expelled from school in

accordance with Section 1415(k) of Title 20 of the United States Code, the discipline provisions contained in Sections 300.530 to 300.537, inclusive, of Title 34 of the Code of Federal Regulations. The charter school will consult with SCUSD Student Hearing and Placement Office in considering the suspension or expulsion of an individual with exceptional needs and shall provide the authorizer approval rights over such action by the charter school.

Essentially, a student with an IEP will not be suspended if the student's misconduct was caused by or had a direct and substantial relationship to his/her identified disability. Additionally, for a student with a Section 504 plan, the student will not be suspended if the misconduct was a direct result of the school's failure to implement the plan. For students with an IEP, his/her IEP team will meet to make a Manifestation Determination. For those with a 504 plan, his/her Student Study Team (SST) will meet and make the determination. The appropriate form for each situation will be download from the district website and used.

Figure 5. IEP and 504 Plans Defined

<p>IEP Defined. The Individualized Educational Plan (IEP) is a plan or program developed to ensure that a child who has a disability identified under the law and is attending an elementary or secondary educational institution receives specialized instruction and related services.</p> <p>504 Plan Defined. The 504 Plan is a plan developed to ensure that a child who has a disability identified under the law and is attending an elementary or secondary educational institution receives accommodations that will ensure their academic success and access to the learning environment.</p> <p>Subtle but Important Differences</p> <p>Not all students who have disabilities require specialized instruction. For students with disabilities who do require specialized instruction, the Individuals with Disabilities Education Act (IDEA) controls the procedural requirements, and an IEP is developed. The IDEA process is more involved than that of Section 504 of the Rehabilitation Act and requires documentation of measurable growth. For students with disabilities who do not require specialized instruction but need the assurance that they will receive equal access to public education and services, a document is created to outline their specific accessibility requirements. Students with 504 Plans do not require specialized instruction, but, like the IEP, a 504 Plan should be updated annually to ensure that the student is receiving the most effective accommodations for his/her specific circumstances.</p>
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District Involvement or Notification of Disciplinary Matters

The Scholar Hearing and Placement office notifies scholars and parents/guardians of any disciplinary action the department has overseen apart from the school site.

Counseling Out of Scholars

NJB does not participate in counseling out scholars of school. It is not a practice as the charter seeks to keep all scholars.

Alternatives to suspension to correct misbehavior.

Ed. Code 48900.5 states that suspension, both in-school and out-of-school *suspension shall be imposed when all other means of correction fail to bring about proper conduct. Other means of correction include, but are not limited to, the following:*

- (1) A conference between school personnel, the pupil's parent or guardian, and the pupil.*
- (2) Referrals to the school counselor, psychologist, social worker, child welfare attendance personnel, or other school support service personnel for case management and counseling.*
- (3) Study teams, guidance teams, resource panel teams, or other intervention-related teams that assess the behavior, and develop and implement individualized plans to address the behavior in partnership with the pupil and his or her parents.*
- (4) Referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program, or a plan adopted pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a)).*
- (5) Enrollment in a program for teaching prosocial behavior or anger management.*
- (6) Participation in a restorative justice program.*
- (7) A positive behavior support approach with tiered interventions that occur during the school-day on campus.*
- (8) After-school programs that address specific behavioral issues or expose pupils to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups.*

Community service on school grounds or off school grounds after school hours is another alternative to suspension. Off-campus community service requires parent permission. Neither option will be used if a suspended student is awaiting an expulsion hearing or if a student is suspended for an action that requires expulsion or requires consideration for expulsion.