



Pathways Charter School

Charter Renewal Petition

Submitted to HUSD:

October 2018

Renewal Term:

July 1, 2019- June 30, 2024

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AFFIRMATIONS AND DECLARATION

Pathways Charter School (“Pathways” or the “Charter School”), a California public charter school authorized by Harmony Union School District (“HUSD” or the “District”) will follow any and all federal, state, and local laws and regulations that apply to the Charter School including but not limited to:

- Pathways shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(c)(1)]
- Independent Paths to Learning, Inc. shall be deemed the exclusive public school employer of the employees of Pathways for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605 (b)(6)]
- Pathways shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]
- Pathways shall not charge tuition. [Ref. Education Code Section 47605(d)(1)]
- Pathways shall admit all students who wish to attend Pathways, and who submit a timely application, unless the Charter School receives a greater number of applications than there are spaces for students, in which case it will hold a public random drawing to determine admission. Except as required by Education Code Section 47605(d)(2) and Education Code Section 51747.3, admission to the Charter School shall not be determined according to the place of residence of the student or his or her parents within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(d)(2)(B)(i)-(iv). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code Section 47605(d)(2)(C). [Ref. Education Code Section 47605(d)(2)(A)-(C)]
- Pathways shall not discriminate on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, gender expression, gender identity, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(d)(1)]
- Pathways shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities Education Improvement Act of 2004.
- Pathways shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]
- Pathways shall ensure that teachers in the Charter School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. As allowed by statute, flexibility will be given to non-core, non-college preparatory teachers. [Ref. Education Code Section 47605(l)]
- Pathways shall at all times maintain all necessary and appropriate insurance coverage.

- Pathways shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D).
- If a pupil is expelled or leaves the Charter School without graduating or completing the school year for any reason, the Charter School shall notify the superintendent of the school district of the pupil’s last known address within 30 days, and upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the Charter School within 30 days if the Charter School demonstrates that the pupil had been enrolled in the Charter School. [Ref. Education Code Section 47605(d)(3)]
- Pathways may encourage parental involvement, but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, the Charter School. [Ref. Education Code Section 47605(n)]
- Pathways shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. Education Code Section 47612.5(a)(2)]
- Pathways shall on a regular basis consult with its parents and teachers regarding the Charter School's education programs. [Ref. Education Code Section 47605(c)]
- Pathways shall comply with any applicable jurisdictional limitations to the locations of its facilities. [Ref. Education Code Sections 47605 and 47605.1]
- Pathways shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. Education Code Sections 47612(b) and 47610]
- Pathways shall comply with all applicable portions of the Elementary and Secondary Education Act (“ESEA”), as reauthorized and amended by the Every Student Succeeds Act (“ESSA”).
- Pathways shall comply with the Public Records Act.
- Pathways shall comply with the Family Educational Rights and Privacy Act.
- Pathways shall comply with the Ralph M. Brown Act.
- Pathways shall meet or exceed the legally required minimum of school days. [Ref. Title 5 California Code of Regulations Section 11960]

Ken Moulton, Board President

Date

CRITERIA FOR CHARTER RENEWAL:

According to Education Code 47607, a charter school applying for renewal must meet one of the following conditions:

(b) Commencing on January 1, 2005, or after a charter school has been in operation for four years, whichever date occurs later, a charter school shall meet at least one of the following criteria prior to receiving a charter renewal pursuant to paragraph (1) of subdivision (a)

(1) Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years, or in the aggregate for the prior three years.

(2) Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.

(3) Ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years.

(4) (A) The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.

(5) Has qualified for an alternative accountability system pursuant to subdivision (g) of Education Code Section 52052.

The following shall serve as documentation confirming that the Charter School meets the statutory criteria required for renewal as set forth in Education Code Section 47607(b)(2) and (3).

*Note on Testing Data

Assembly Bill 484 amended Education Code section 52052(e)(4) to allow schools that do not have an API calculated to use one of the following criteria to meet legislative and/or programmatic requirements:

- The most recent API calculation;
- An average of the three most recent annual API calculations; or
- Alternative measures that show increases in pupil academic achievement for all groups of pupils schoolwide and among significant groups.

The Charter School meets the charter renewal criteria established in Education Code Section 47607(b) by utilizing “the most recent API calculation” and “alternative measures” as allowed per Education Code Section 52052(e)(4)(A), as further specified below.

Analysis of the Most Recent API Calculation

LEGAL REQUIREMENTS FOR CHARTER RENEWAL Education Code Section 47607(b) – Charter School Must Meet at Least ONE Criteria for Renewal	
Renewal Criteria	Criteria Met
Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years, both	No

school wide and for all groups of pupils served by the charter school.	
Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.	Yes; 2013 rank of 6 and 2012 rank of 5
Ranked in deciles 4 to 10 inclusive, in the API for a demographically comparable school in the prior year or in two of the last three years.	Yes; 2013 rank of 6 and 2012 rank of 8
The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.	Not addressed
Has qualified for an alternative accountability system pursuant to subdivision (h) of Education Code Section 52052	Not Applicable
(Source: CDE DataQuest, accessed August 28, 2018)	

Pathways Charter School has met the requirement for renewal by meeting sections two and three above. Pathways received a Statewide rank of “6” in the prior year and a similar schools rank of “6” in 2013, the prior year.

Additionally, Pathways Charter School received a six-year accreditation from the Western Association of Schools and Colleges (“WASC”) in 2018 and maintains a UC approved college preparatory option for its high school students. Pathways Charter School is proud of its ability to maintain a rigorous standards-aligned curriculum in an independent study environment that meets the needs of families wishing to educate their children in a non-traditional environment.

Pathways Learning Center locations:

Pathways operates learning centers in three counties in order to serve students on independent study. The two out-of-county learning centers (Marin and Solano) are in compliance with the Education Code requirements because we maintain a majority (50% + 1) of our students in the county in which we are authorized (Sonoma) (Education Code Section 47605.1(c)). The one in-county learning center is in compliance, even though it is outside of the boundaries of HUSD, because both the Charter School and the District have agreed that Pathways meets the criteria for the single-site exemption as supported by a real estate evaluation (Education Code Section 47605.1(d)). There is not site of adequate size within the HUSD boundaries.

Main Office

150 Professional Center Drive, Suite C
Rohnert Park, CA 94928

Sonoma County Learning Center

150 Professional Center Drive, Suite D
Rohnert Park, CA 94928

Solano County Learning Center

301 Georgia Street suite 260
Vallejo, CA 94590

Marin County Learning Center

4340 Redwood Hwy Suite E356
San Rafael, CA 94915

CHARTER SCHOOL COMPLIANCE WITH LEGAL REQUIREMENTS

Governing Law: “Renewals ... are governed by the standards and criteria in Section 47605, and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.”

Education Code Section 47607(a)(2)

Pathways Charter School has met new charter school requirements according to the following table:

Effective Date	Legal Citation/Description	How the Charter School has Met the Requirement
January 1, 2018	AB 1360 Education Code Section 47605(d)(2)(B)(i)-(iv) requires admission preferences to be: approved by the chartering authority; consistent with all applicable law; to not limit enrollment access; and to not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.	The Charter School has ensured all admission preferences comply with this requirement.
	Education Code Section 47605(b)(5)(H) requires a description of admission policies and procedures in charter petitions.	The Charter School has provided additional details in its charter petition that comply with this requirement.
	Education Code Section 47605(b)(5)(J) requires an explanation regarding due process for suspension, expulsion, and involuntary dismissal procedures.	The Charter School has provided additional details in its charter petition that comply with this requirement.

Effective Date	Legal Citation/Description	How the Charter School has Met the Requirement
January 1, 2018	<p>AB 699 Education Code Section 200, 220 and 234.1 expressly include immigration status in the specified characteristics.</p> <p>The Education Code was modified and supplemented to further protect children who are immigrants.</p>	<p>The Charter School will identify immigration status when referencing the other specified characteristics in these code sections.</p> <p>The Charter School's nondiscrimination protected classes, Uniform Complaint Procedures, visitor policy, and student records policy have been updated to comply with new requirements.</p>
January 1, 2018	<p>AB 10 Education Code Section 35292.6 requires public schools that serve grades 6 through 12 that meets the federal 40% pupil poverty threshold to stock at least 50% of the school's restrooms with feminine hygiene products.</p>	<p>The Charter School will provide feminine hygiene products pursuant to this section, if applicable, and has included a reference in its charter indicating its compliance with this section.</p>
January 1, 2018	<p>AB 841 Education Code Section 49431.9 prohibits charter schools that participate in the National School Lunch Program or School Breakfast Program from advertising for foods that it is not allowed to sell.</p>	<p>The Charter School will not advertise any foods that it is not allowed to sell pursuant to these federal programs.</p>

Effective Date	Legal Citation/Description	How the Charter School has Met the Requirement
January 1, 2018	SB 138 Education Code Sections 49562, 49564, and 49564.5 require the CDE to share data with LEAs to directly certify students' eligibility for free and reduced-price meals; they also require "very high poverty schools" (including charter schools) to provide free breakfast and lunch to all students, unless exempt due to demonstrated fiscal hardship.	The Charter School will comply with these requirements through internal policies and procedures.
January 1, 2018	SB 233 Education Code Sections 49069.3 and 49076 and Welfare and Institutions Code Sections 361, 361.5, 366.1, 366.21, 366.22, and 16010 require foster parents, foster family agencies, and group homes the right to review pupil records.	The Charter School will comply with these requirements through internal policies and procedures.
January 1, 2018	SB 250 Education Code Section 49557.5 requires charter schools that receive funding under the National School Lunch Program or School Breakfast Program to ensure that students who have unpaid school meal fees are not treated differently, and that student discipline does not include denial or delay of meals.	n/a
January 1, 2018	SB 455 Education Code Section 48204.3 establishes a student's residence in a school district if the student's parent is transferred or is pending transfer on active military duty.	The Charter School will follow this definition of residency as applicable to its admission lottery, if any.

Effective Date	Legal Citation/Description	How the Charter School has Met the Requirement
July 1, 2017	AB 2246 Education Code Section 215 requires charter schools that serve grades 7 through 12 adopt a policy on pupil suicide prevention by July 1, 2017.	The Charter School's governing board has adopted a pupil suicide prevention policy that complies with this requirement.
July 1, 2017	SB 1375 Education Code Section 221.61 requires posting information regarding Title IX on its website by July 1, 2017.	The Charter School has posted the required information on its website by July 1, 2017.
January 1, 2017	SB 1436 Government Code Section 54953(c)(3) requires entities to, prior to taking final action, orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive.	The Charter School will follow this mandate when approving its education executive's contract.
January 1, 2017	AB 2845 Education Code Section 234.1 requires local educational agencies serving grades 7 through 12 to provide certificated employees information on school site and community resources related to the support of pupils who may face bias or bullying on the basis of religious affiliation, or perceived religious affiliation.	The Charter School will provide this information to certificated employees during professional development.

Effective Date	Legal Citation/Description	How the Charter School has Met the Requirement
January 1, 2017	AB 1639 Education Code Section 33479 et seq. requires providing information to athletes regarding sudden cardiac arrest and removing an athlete from participation under certain circumstances.	Not Applicable.
January 1, 2017	SB 1072 Education Code Section 39831.3 requires adoption of a transportation safety plan if a charter school provides transportation to or from school or a school activity.	If the Charter School provides transportation, it will develop a transportation safety plan to comply with this requirement.
January 1, 2017	AB 2536 Expands the definition of “bullying by electronic act” in Education Code Section 48900 to include “cyber sexual bullying.”	The Charter School’s suspension and expulsion policy reflects this updated definition.
January 1, 2017	AB 2212 Expands the definition of “bullying by electronic act” in Education Code Section 48900 to include “video.”	The Charter School’s suspension and expulsion policy reflects this updated definition.
January 1, 2016	Education Code Section 313.1 contains new definitions for “long-term English learner” and “English learner at risk of becoming a long-term English learner.”	The Charter School will utilize these definitions in internal procedures regarding English Learners.
January 1, 2016	SB 445 Education Code Section 48852.7 requires various services for homeless and foster children.	The Charter School will comply with this requirement through internal policies and procedures.

Effective Date	Legal Citation/Description	How the Charter School has Met the Requirement
January 1, 2016	SB 416 Education Code Section 41422: charter schools that operate for fewer than 175 days must prove to the superintendent that the reason for falling short is fire, flood, earthquake, or epidemic. Upon such showing the charter school shall receive the same apportionment of funding.	The Charter School will comply with this requirement by direct communication to the Superintendent, if necessary.
January 1, 2016	SB 359 Education Code Section 51224.7, governing boards or bodies of local educational agencies, including charter schools, that serve entering 9th graders who have not adopted a mathematics placement policy must develop and adopt in a regularly scheduled public hearing a mathematics policy placement policy for students entering 9th grade.	The Charter School's governing board has adopted a mathematics placement policy.
January 1, 2016	SB 277 The Health and Safety Code removes an exemption from immunization requirements based upon personal beliefs, but exempts students enrolled in an independent study program who do not receive classroom-based instruction. Pupils who, prior to January 1, 2016, have an affidavit on file with the school stating beliefs opposed the immunization may remain enrolled until the pupil enrolled in the next grade-span.	The Charter School will comply with this requirement through internal procedures. The charter petition includes a statement of compliance with the Health and Safety Code Sections revised by SB 277.

Effective Date	Legal Citation/Description	How the Charter School has Met the Requirement
January 1, 2016	SB 172 Education Code Section 60851.5 suspends the high school exit examination for the 2015–16, 2016–17, and 2017–18 school years.	The Charter School does not administer the high school exit examination.
January 1, 2016	AB 1452 Education Code Section 44939.5 contains requirements for charter schools regarding the reporting of egregious misconduct, expunging an employee’s personnel file, disclosure of egregious misconduct reports, and false reports.	The Charter School complies with this requirement through its employment handbook.
January 1, 2016	AB 1091 Education Code Section 69432.9 states charter schools must submit grade point averages for Cal Grant applicants electronically on a standardized form.	The Charter School complies with this requirement through internal policies.
January 1, 2016	AB 1058 Education Code Section 44691 states charter schools must provide annual training to employees and other persons working on their behalf who are mandated reporters. Charter Schools also must develop a process for providing proof of completing training within the first six weeks of each school year or beginning employment.	The Charter School’s renewal petition provides for mandated reporter training in accordance with State mandated training.

Effective Date	Legal Citation/Description	How the Charter School has Met the Requirement
January 1, 2016	AB 827 Education Code Section 234.1 requires local educational agencies serving grades 7 – 12 to provide certificated employees information on school site and community resources related to the support of lesbian, gay, bisexual, transgender, and questioning pupils.	The Charter School provides this information to certificated employees during professional development.
January 1, 2016	AB 302 Education Code Section 222 requires charter schools to provide reasonable accommodations to a lactating pupil on a school campus to express breast milk, breast-feed an infant child, or address other needs related to breast-feeding.	The Charter School complies with this requirement through internal policies.
August 2015	SB 725 Education Code Section 60851.1 removes the high school exit examination as a condition for graduation from high school for a pupil completing grade 12 in 2015.	The Charter School does not administer the high school exit examination or use it as a condition for graduation from high school.
August 2015	Education Code Section 49452.9, requires information regarding the Affordable Care Act to be included on enrollment forms for public schools, including charter schools, from 2015-2018.	The Charter School’s enrollment forms include ACA information.
August 2015	Charter Schools that offer competitive athletics must make specific data publicly available at the end of the school year.	Not Applicable.
July 1, 2015	Education Code Section 51747 et seq., charter schools may offer “course based” independent study options.	If the Charter School offers the applicable program, it will revise its governing board policy as appropriate.

Effective Date	Legal Citation/Description	How the Charter School has Met the Requirement
January 1, 2015	AB 2160 Education Code Section 69432.9 requires charter schools to submit grade point averages for all Cal Grant applicants and to notify in writing each grade 12 pupil and his or her parent that the pupil is a Cal Grant applicant.	The Charter School complies with this requirement through internal policies.
January 1, 2015	Education Code Section 49414 requires school districts, county offices of education, and charter schools to provide emergency epinephrine auto-injectors (“Epi Pen”) to nurses and trained personnel to aid students having an anaphylactic reaction.	The Charter School provides Epi Pen(s) to authorized personnel.
January 1, 2015	Education Code Sections 35179.5 and 49475, limitations on public school athletic programs, including charter schools, regarding number and length of practices and concussions.	The Charter School complies with these requirements through internal policies.
January 1, 2015	Education Code Section 44691, requires public schools, including charter schools, to provide annual mandated reporter training via the training module provided by the State Department of Social Services, and provide proof of training within 6 weeks of each school year or 6 weeks of person’s employment.	The Charter School’s petition and policies already commit to complying with Education Code Section 44691.
January 1, 2015	Education Code Section 49406, allows the option of a person submitting to a TB risk assessment.	The Charter School’s petition and policies already commit to complying with Education Code Section 49406.

Effective Date	Legal Citation/Description	How the Charter School has Met the Requirement
January 1, 2015	Education Code Section 49073.6, requires charter schools considering a program to gather or maintain records obtained from social media to comply with notification and other requirements.	This program is voluntary. If the Charter School adopts a program for social media it will comply with the requirements of this statute.
January 1, 2015	Education Code Section 48900 et seq., limits authority for school district administrators to suspend or expel students for “willful defiance.”	Not applicable as this is not a requirement of charter schools. The Charter School has chosen to voluntarily comply with this requirement.

Introduction:

Pathways Charter School is guided by a strong administrative team, collaborative board and dedicated staff and teachers. As outlined below, many of the teachers have been at the school for over a decade and our Board is well-rounded and diligent in their monitoring role. The administrative team is comprised of a range of talented educators. Sara Jordan, the Executive Director, has worked at the school since it opened. She started as a teacher, became a regional principal and in 2017 was hired as the Executive Director. Along with Sara there are three regional principals, the student services coordinator, guidance coordinate and CTE coordinator. Together, this robust team helps guide the vision of the school and assure educational excellence and top-notch accountability. The Executive Director and regional principals all hold administrative services credentials and three of the four have worked at the school for at least ten years.

Parents consistently praise our staff and program. In our annual parent feedback surveys results consistently indicate a very high level of satisfaction, not only with the overall program, but also with parent's access to decision making and participation in programs. This survey, and its associated results, are one of the major data sources for establishing our annual LCAP goals, actions and services. Here is what some of our parents have said about Pathways in our recent annual feedback survey:

95% are satisfied or extremely satisfied with the Pathways program

92% would recommend the program to a friend or family member looking for home-based education.

“Pathways is not only an incredible academic opportunity for my child, but what also makes it amazing is the staff. I always feel greeted accepted, able to openly communicate and even staff and parents I don’t know say hello when walking around. If this part of the environment was not present it would still be a good school but not a GREAT one. Keep up the great work!”

“We really love Pathways. It has helped us with educating our children better than in a traditional public school and has brought our family closer together.”

“Pathways is a wonderful and unique school, the teachers are supportive and attentive.”

Board Member Bios:

Ken Moulton (Board President) graduated from the University of California at Berkeley with a Bachelor's Degree in History and began a career in public education. Additional graduate work includes a Master's Degree in History and a Ph.D. in Leadership and Human Behavior. Ken spent 38 years at the secondary level serving as a classroom teacher, coach, principal at both middle and high school and a Director for Alternative Education. Following retirement in 2003, Ken became more involved in Rotary International serving as both Club President and District Governor. Ken and his wife Pam, an educational psychologist, have travel extensively throughout the world volunteering for humanitarian projects while representing Rotary. Ken and Pam reside in Windsor and look forward to being members of the Pathways Charter School Community.

Cedric Lutes (Elected) 2017-20. Cedric is a 12 year alumnus of Pathways Charter School. He values its goals and wants to contribute to his alma mater.

Carolyn Gephart-Wilson (Appointed) 2016-2019. Carolyn is a native Californian born in San Diego and has been married for 40 years. She has one son who is in 8th grade at Pathways Charter School. He has been a student at Pathways since 4th grade and is thriving here. Carolyn is currently employed part time by Seton Hospital in Daly City as a licensed Respiratory Care Practitioner and has been so for the last 15 years. Carolyn has been actively involved with the school as a parent volunteer. She has done lots of work in the school garden and in the school library. She also is acting as the Pathway's Parent Representative to the Sonoma County Community Advisory Committee (CAC).

Kon Heong Choo (Appointed/Treasurer) 2017-20. Kon has been a Pathways parent for 8 years and has always been a strong proponent to Pathways Charter School's values and independent education model. Prior to her children's enrollment with Pathways, she served as the member of the Board for Monte Vista Elementary School in Rohnert Park. Kon has a strong background in financial and accounting.

Christine Bendik (staff rep 2018-2020): Christine has worked at Pathways for almost 3 years. She has taught in a variety of settings and enjoys her work at Pathways.

Executive Director

Sara Jordan has worked at Pathways since 2002 as an Independent Study Teacher, Principal for Sonoma County, School-wide Academic Program Director and then in the fall of 2017 began as Executive Director. She received a BA in Mexican-American Studies from Sonoma State University in 1996 and the following year earned a bilingual multiple subject teaching credential. She worked briefly at Sheppard School in Santa Rosa teaching a bilingual 2nd/3rd grade class. However, she quickly realized that her passion was for alternative education which is when she found Pathways. She earned my Administrative Services Credential - tier 1 at Sonoma State and tier 2 through ACSA (Association of California School Administrators) and earned her Master's in Educational Leadership in spring 2018 from Sonoma State University.

ELEMENT 1: EDUCATIONAL PROGRAM

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. Education Code Section 47605(b)(5)(A)(i).

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. Education Code Section 47605(b)(5)(A)(ii).

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. Education Code Section 47605(b)(5)(A)(iii).

Mission Statement and Description of the Educational Program

The mission of Pathways Charter School is to facilitate the growth of students to become educated, participating citizens in today’s world. We provide a rigorous, standards-based program, utilize a variety of instructional delivery models, and foster a team approach. Students thrive at Pathways because we are dedicated to building strong relationships among school personnel, parents, and students; and are committed to the vision that all students benefit from personalized attention to their educational needs.

1.1: Whom the School is Attempting to Educate

Pathways Charter School is an independent study charter school, which allows parents to assist in teaching and guiding students during their daily activities. As a public school under the Charter Schools Act, we provide a variety of support services for students and families seeking an individualized, home-based education.

There are many reasons why students and their parents choose independent study. A home-based education is unique, and can be tailored to the talents, interests, and effective learning styles of each student. Most of our teachers have taught previously in site-based schools, and have noticed that in a typical classroom situation there are always those students who seem to be painfully ill at ease – the proverbial “square peg” trying to fit into a “round hole.” Some students visibly withdraw. Some are subjected to bullying, while in others this “differentness” manifests as behavioral and/or academic problems. Pathways Charter School offers a respite or reprieve for these students; they can succeed in an environment that not only accepts, but also celebrates their unique personalities.

As such, Pathways has served and continues to serve the educational as well as many of the social and emotional needs of students whose needs have not been met within the traditional public school system. Pathways educates students who come from a variety of backgrounds, including:

- Students from the traditional public school setting whose academic and/or emotional needs are pronounced and need individualized oversight and an alternative-learning environment for either remediation or acceleration.
- Students whose access to rigorous and challenging curricula and learning resources are limited by economics, remote distances, and/or limited exposure to future career pathways.
- Students who are seeking choice and flexibility within their academic program.
- Previously “home-schooled” students.
- Students who require a temporary reprieve from a larger site-based school environment due to the effects of negative peer influence and other stress-inducing factors.
- High school students who have demonstrated a lack of motivation in traditional settings and are at-risk for dropping out.
- Students who are academically, artistically, or physically gifted and need a non-traditional schedule to complete academic coursework.

Pathways has been operating as a K-12 charter school since September 2003. In November 2004, Harmony Union Elementary School District in Sonoma County granted Pathways a five-year charter renewal, extending its charter through December 31, 2009, and again in December 2009 extending it to December 2014. The current charter term runs through June 30, 2019, and Pathways is seeking renewal through June 30, 2024. Pathways serves students residing in four counties in the Bay Area region: Sonoma, Marin, Solano, and Napa.

1.2: Enrollment and Attendance Expectations

Calendar

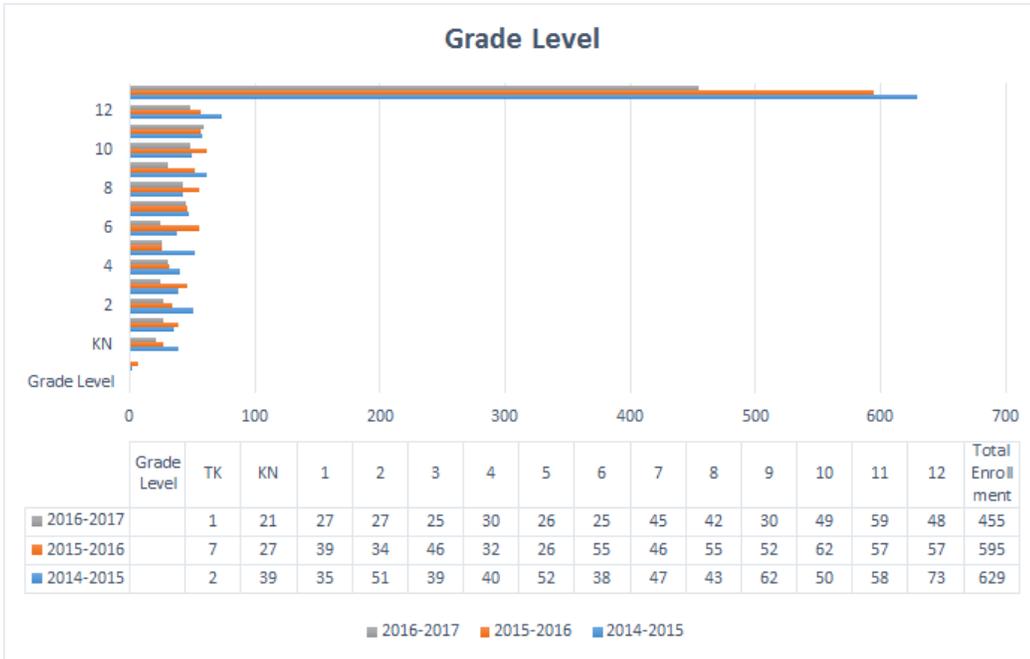
The calendar is adopted each year by the Pathways School Board, meets all state-mandated instructional minutes requirements, and is both posted to the school website and provided staff and families. (See Appendix 1 Calendar 2018-19 and Appendix 18 Attendance Policy)

Student Demographics

Demographic information with students broken down by grade level, as presented in the Charter School’s WASC self-study, is as follows:

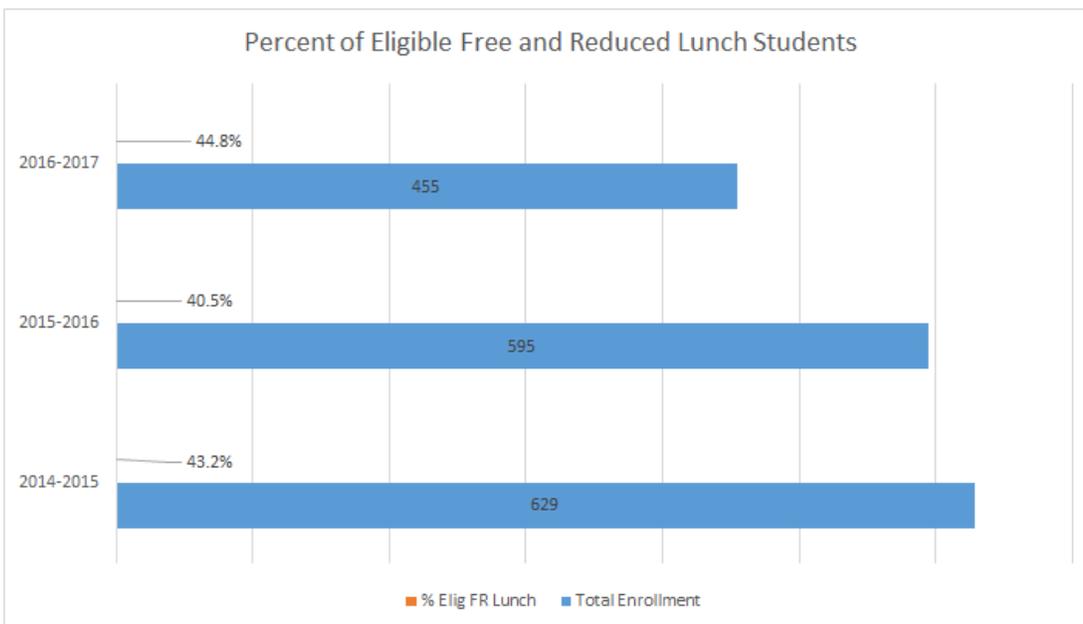
a. Grade level

This graph shows that over a three-year period our enrollment dropped from 629 to 455. However, our grade level distribution remains proportionally fairly steady with a slight growth in our high school enrollment from 38% to 41%. This can be attributed to the fact that in most of our counties there are few alternative school options for high school students.



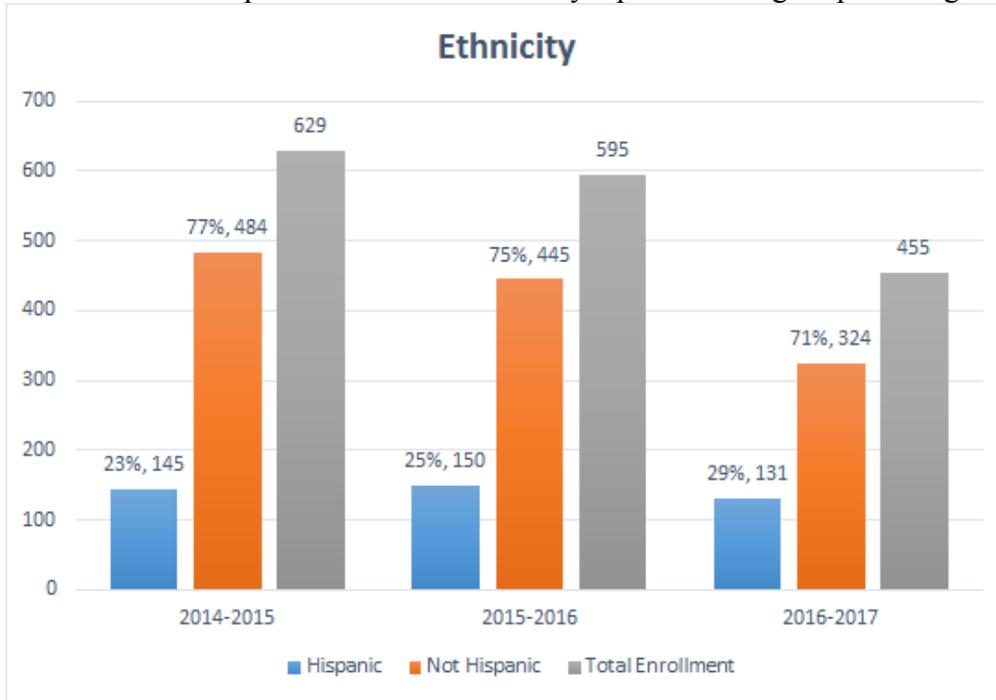
b. Percent of eligible Free and Reduced Lunch students

Our percentage of qualifying students has fluctuated slightly over the past three years, averaging at 42.8% and the county average is 47%.



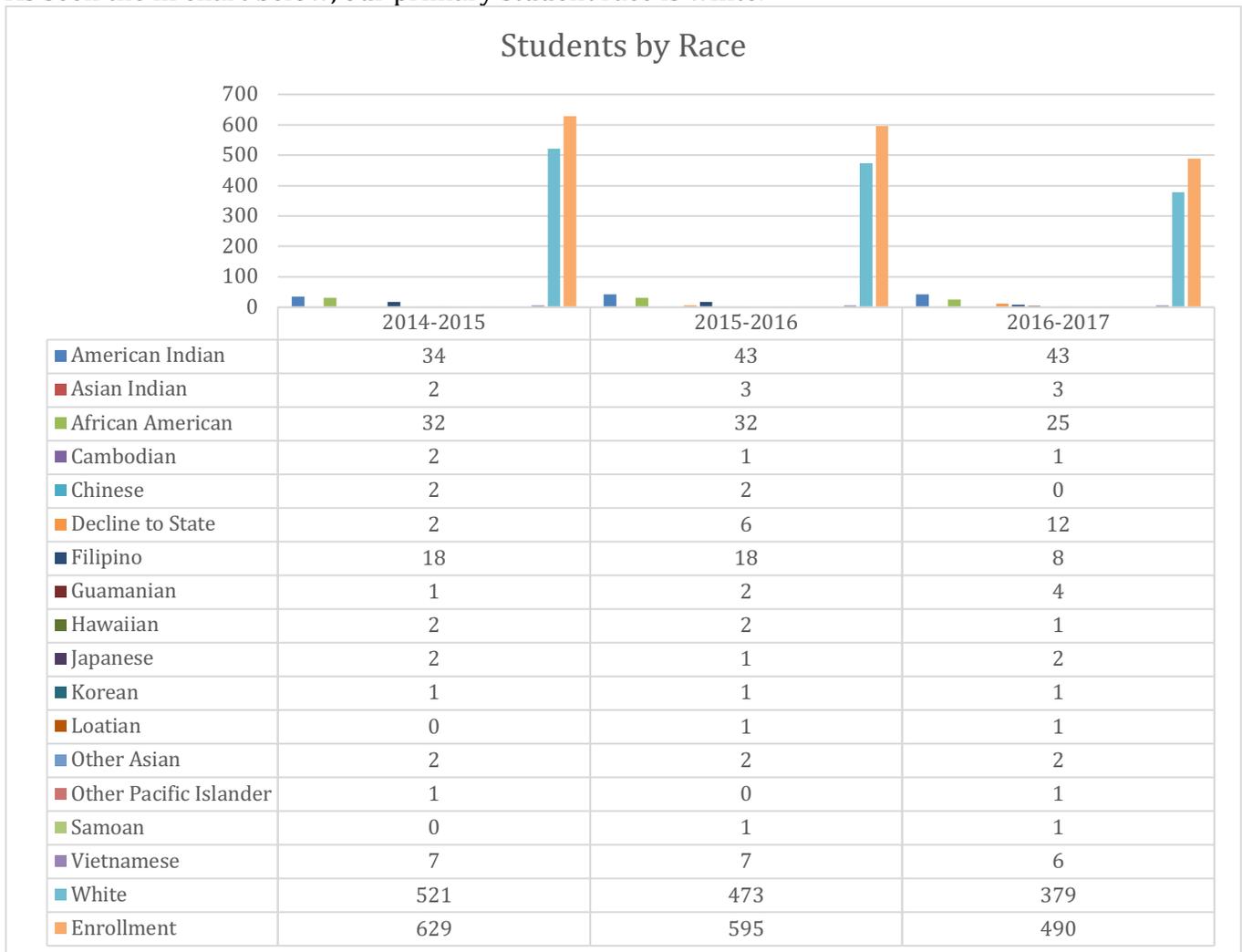
c. Ethnicity

During this time period we have seen a slight increase in the Hispanic ethnic population with a gain from 23% to 29%. This pattern matches the county’s pattern of higher percentage of Hispanic students.



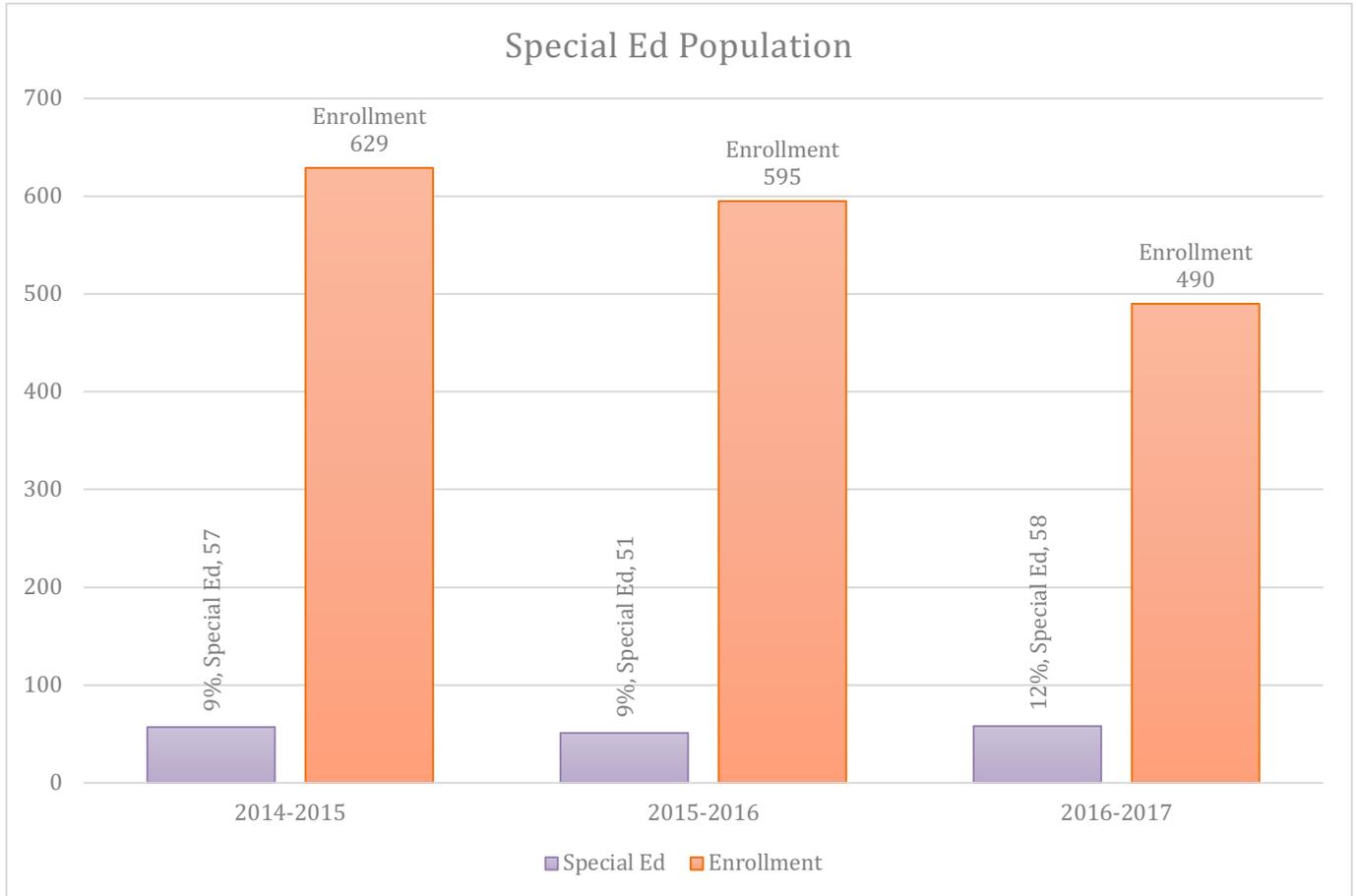
d. Race

As seen the in chart below, our primary student race is white.

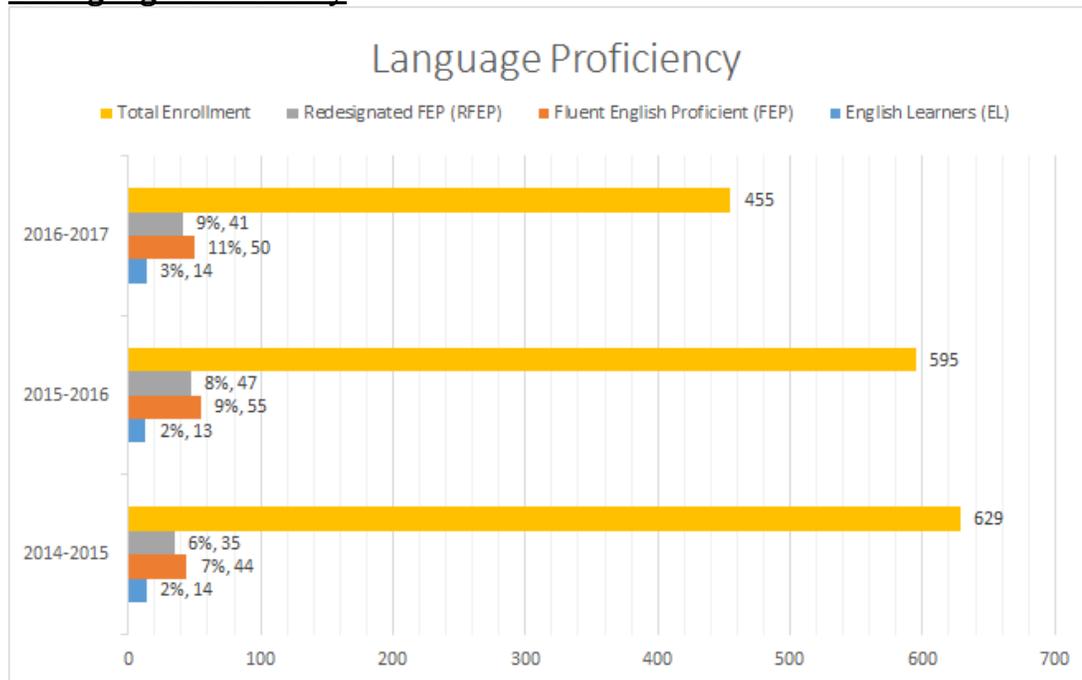


e. Special Education

Our percent of students with identified learning disabilities has risen slightly over the prior three years from 9% to 12%.



f. Language Proficiency



Wait List and Lottery

While most students who request enrollment are granted spots, waiting lists have existed throughout the years at various times in almost all areas. Pathways follows Education Code Section 47605(d) when demand exceeds capacity through a lottery and waiting list. Capacity is established by the Board adopted rubric for independent study teacher caseloads.

1.3: An Educated Person in the 21st Century

A Pathways graduate will be both college and career ready. Educated persons in the 21st century are those who demonstrate competence in skill areas such as clear communication, computational literacy, cooperative learning, effective work habits, time management, self-discipline, and independent learning. These people will be able to communicate effectively through reading, writing, speaking, listening, and graphically representing. They will effectively use technology to procure information, make connections, and support advanced skills development, which will enable them to pursue their own paths of learning throughout their adult lives. These students will develop research skills as well as have the ability to plan, initiate, and complete projects; they will also have the ability to reflect on and evaluate their own and others' learning. Thus, they will be armed with the skills they need to pursue their future goals, be they higher education, or secure, sustainable employment. Pathways is compliant with Education Code Section 47605(b)(5)(A)(ii) through the goals, actions and services outlined in the annual Local Control and Accountability Plan ("LCAP") (Appendix 17 LCAP 2018-19).

The overall goal of Pathways, as outlined in its mission statement, is to enable students to become self-motivated, competent, lifelong learners who embody our definition of an educated person in the 21st century. For Pathways, such an educated person is defined within our Student Learner Outcomes (SLOs) [formerly

known as our Expected School Wide Learning Results (ESLRs)], as identified during self-evaluation processes outlined through the WASC accreditation procedures. We expect that every Pathways graduate is a life-long learner who is:

- An effective communicator – using oral, written, visual, or performance expressions to clearly convey ideas and concepts.
- A responsible learner – managing time, materials, and resources to make positive life choices; applying academic and social skills to life experiences; successfully interacting with others; and understanding and participating in his/her community, nation, and world.
- A critical thinker and creative problem-solver – utilizing knowledge, intelligence, and experience to find possible solutions and make ethical decisions that can be applied to academic, personal, and real-world situations.
- An able researcher – compiling information from a variety of reliable sources and evaluating, synthesizing, and interpreting findings to respond to a guiding research question.

1.4: How Learning Best Occurs: Program Design and Instruction and Curriculum Overview

Pathways holds that learning occurs best when teachers, parents, and students, and the community at large, collaborate to produce an educational setting that nurtures individual interest and independent thought, while meeting rigorous standards for academic achievement. Curricula at Pathways can best be characterized as holistic and individualized. This includes teaching methods that do not separate all academic disciplines, as well as more traditionally structured programs.

All student plans are personalized education plans that meet the needs of students' varied methods of learning and encourage students to learn according to their own styles. By offering the option of approaching core academic areas with a holistic approach to subject disciplines, students are more easily able to see the relevance of one subject to another, and can also apply learning in a way that makes the materials relevant to their personal lives. We also believe that a "team" of teacher, parent, and student is necessary in creating, pursuing, and assessing a student's individual learning structure and progress, and we therefore encourage parent participation while allowing young adults to experience the costs and benefits of making significant decisions.

At Pathways, students participate in a variety of instructional activities that best suit the learning modalities and any other special academic needs of individual students. Curriculum is individualized and differentiated to suit the needs of the accelerated student requiring more challenging course materials as well as the underachieving student who needs remediation in one or more academic areas. Additionally, this may include low income, foster and homeless youth, English learners, and students with Individualized Education Programs (IEP) or 504 Plans.

1.5: Pathways' Unique Program Design Elements

Each Pathways student receives an Individualized Education.

Individualized Education is the term used by Pathways to describe the type of program design that we believe works best for most students. *Individualizing student learning plans and the methods they use to progress through content standards yields the strongest positive results for all Pathways students toward achieving our SLOs.* It is the reason for our existence, as proclaimed in our Charter and our Mission Statement.

To individualize education means that teachers and parents treat each child as having a unique set of needs and the Educational Team of teacher, student, and parent works from a desire to understand how learning best occurs with and for each individual student. Simultaneously, Independent Study Teachers (“ISTs” or “Teachers”) do their best to guide instruction and curricular choices that will most effectively help students attain post-Pathways goals such as possible transition to a traditional public or private high school, enrollment at a community or four-year college, employment in a particular profession, or pursuit of professional athletic or artistic status. Thus, through multiple formal and informal assessments (standardized, individualized, quantitative and qualitative, formative and summative), we work together to pinpoint the best educational approach to use with each child. For example, one child might work best using more traditional curriculum and textbooks; another might be motivated through hands-on projects; and another through group interaction. In some cases, we advise students to develop and refine their test-taking skills, as they will encounter admissions tests and entrance requirements as they pursue their future goals. All of these strategies and emphases are options at Pathways. Success in these widely varying strategies can only be determined through the use of multiple measures and will look different from one student’s assignment sheets and semester learning plans to the next.

Each Pathways student is supported through the collective efforts of the Educational Team.

Teachers, students, and parents work together as an educational team, developing a learning plan, selecting materials, assessing, reassessing, and documenting student work. By law, the IST is responsible for designing lesson plans, writing assignments for students and assessing all work. The IST is additionally responsible for completing required paperwork and documentation for each student, providing academic advisement and counseling to both parents and students, and conducting any research regarding curricular materials and methods of instruction a family might need. The Teacher is the main liaison between the program and the family and should be the primary source of information. The team may also include additional persons integral to the success of the student, such as other pertinent family members, tutors, or specialists.

ISTs are responsible for providing a climate conducive to establishing a healthy learning relationship. Parents and students are expected to take advantage of the services provided, be they texts and materials, classes, or field trips, and to work with their teacher to incorporate these resources into a program that fits the needs of the student.

The Teacher will complete required reporting of attendance and student progress in compliance with Charter School and Independent Study Education Law (Education Code Section 51745, *et seq.*), Education Code Section 47612.5 and the California Code of Regulations on a periodic basis to assure student activities are being performed and reported consistent with the learning and attendance assignments imposed under State law and the guidelines set forth by the School. These regulations are accomplished through collaboration with parent educators at monthly meetings.

Students who undertake Independent Study must themselves be self-motivated and capable of the self-discipline the program requires. By signing the Master Agreement and Acknowledgement of Responsibilities at the beginning of each semester's course of study, they make a commitment to complete sufficient work to meet the California State Content Standards. Students are expected to spend the number of hours specified in the Master Agreement for daily schoolwork. (Appendix 2: Master Agreement; Appendix 3: Acknowledgment of Responsibilities.)

By co-signing the Master Agreement and Acknowledgement of Responsibilities, parents agree to supervise their student's work, to provide support and encouragement where needed, and to maintain communication with their IST to ensure that their student is fulfilling his or her responsibilities. They also agree to make sure that school materials are kept in a safe place and returned in good condition.

The Independent Study Teacher also signs the Master Agreement and Acknowledgement of Responsibilities, demonstrating that she or he is prepared to provide the necessary learning materials and as much guidance as the responsible student may reasonably require in the course of study.

Each Pathways student has a high degree of input and accountability.

Because Pathways Charter School is an Independent Study School, students do most of their learning on their own. Success requires honesty, diligence, and integrity. Independent Study – like self-employment – presents considerable challenges. Independent Study was originally designed as an opportunity for motivated students capable of making good use of their freedom to follow their own interests to choose assignments that fit their learning style, and to pursue outside interests that a flexible schedule allows. Independent study is thus a contract between students, families, and the school to work together to ensure that the student meets the requirements of the program.

Starting somewhere between eighth and tenth grade, all students are presented with the responsibility of demonstrating “self-direction” as they rise to the task of guiding his/her Team in choices for curriculum and instruction that will lead to the achievement of future goals. Unlike for many high school students, these choices are conscious and active. They are not simply a means to guide students to an appropriate “track.” Instead, our students must make, articulate, and show continuous progress on achieving benchmarks that will lead them to their post-high school aspirations. As early as eighth grade, students are asked to examine and participate in discussions with other Educational Team members about the potential effects of their choices. Once stated, Team members focus all efforts on designing coursework that will enable a student to succeed at those goals, given that student's unique set of strengths and weaknesses. The Team will chart out a series of benchmarks and assignments and will compile appropriate Pathways' resources (classes, one-one-one support, curricula, contract vendor support, etc.) that will guide each student toward success. Students lead their own educational programs by identifying what they want from and after high school and they are expected to fulfill their obligations by completing assignments in a timely manner. They are also expected to keep the rest of their Educational Team apprised of areas of difficulty that they experience as well as any changes to their future goals.

1.6: Methods of Instruction

Pathways was founded on the belief that there is no single best curriculum or method of instruction that will guide every one of our students toward achieving individual benchmarks to achieve their goals. We fully embrace the educational trends of differentiated instruction for multiple learning modalities and take these

pedagogical tenets to a rare extreme as we attempt to individualize each student's goals and accompanying benchmarks, assignments, instruction, and assessment. We believe that providing such individualized education plans, designed uniquely for each student, will provide him or her with a path toward achievement of our school SLOs. Our entire staff operates with a deep sense of conviction that all students can make progress toward achieving our SLOs if provided with the adequate tools – tools that are provided in the forms of:

- independent study facilitation
- small group tutorials and classes
- online resources and classes
- one-on-one tutoring, as appropriate
- consultation with core subject department chairs
- participation in community athletic, arts, and service programs
- field trips
- group science labs
- attendance at local community colleges, as appropriate
- high school advising and college counseling
- test-taking skills workshops
- specialized services for students in Special Education
- travel-study opportunities
- a wide range of choices in curricula to suit learning modalities and future aspirations

These support options comprise a sampling of the educational and personal opportunities that Pathways offers its students without charge. It is common that a single student will employ several of these strategies in a given semester.

Students in high school also receive counseling for post-graduate aspirations, either furthering academic goals or other career training. This includes regular advisement from their teacher who uses this information to guide the individual student's academic programs, as well as access to the High School Guidance Coordinator. Through consultation with their IST and Guidance Coordinator, as well as the information contained in the Pathways handbook and website, workshops and student records (grade reports, transcripts), students and their families are informed of the transferability of their coursework to other high schools as well as college prep and UC-applicable a-g course options. (Appendix 5: High School Graduation Requirements)

Pathways' instructional systems offer learning programs allowing for wide differences in student learning styles, abilities, and interests that are sometimes difficult to accommodate in traditional school settings. The team has the ability to tailor the learning environment to the individual needs of the students as long as learning focuses on meeting standards-based goals and objectives set forth in the student's learning plan. Pathways' students have a variety of instructional resources at their disposal, which provide a wide range of learning resources and supplies. The resources available to all our students are identified below.

Pathways offers optional classes that range from such subjects as art and music to English, math, and science. Our hope is to provide families a variety of course offerings and to meet both academic and social needs. Assigned teachers will help identify optional classes that will benefit their students. Classes are open to all Pathways students, dependent on space. Such courses are conducted either by qualified school staff or by appropriately qualified community-based specialists.

Our local network of community colleges is one of our high school students' most valuable resources. Pathways works with local community colleges and concurrently enrolls several students in any given semester. Pathways students attending community college classes are monitored closely to ensure proper placement in courses and to ensure that students are successful in their courses. Pathways does not claim ADA for time or work done by a student in a community college class.

1.7: The Pathways School Curriculum

Pathways' curricular content adheres to state standards. However, because of the cross-graded approach to curriculum and instruction, students will not always progress linearly through grade level content standards. Students will be exposed to the scope of content in core subject areas, but not necessarily in the outlined sequence. This allows for instruction to be more student-centered and student-driven. The curriculum of Pathways Charter School was developed by subject-area specialists and is specific to each grade range. This list is comprised of a variety of learning areas including language arts, science, social studies, mathematics, visual and performing arts, foreign language, health and physical education, and technology.

Pathways Charter School is a public school that strives to uphold parental rights and choice through a customized individualized instruction program for its students. Toward this end, the school encourages the Team – composed of teacher, parent, and student – to design a course of study for the student directed at meeting local and state standards. Because parents act as co-facilitators alongside their independent study teacher, especially at the elementary level, they remain a significant influence in the purchase and use of any materials affecting the children's attitudes and values. State law requires that no sectarian (religious) material be ordered.

Pathways has numerous curricular resources housed in various locations which support the students' achievement of the Common Core State Standards and Career and College Readiness ("CCR") standards. These resources offer a vast collection of books, curricula, videos, manipulatives, educational games, and a variety of other materials to students. The libraries are accessible to all families on-line, or through their independent study teachers. In addition, we have a number of science materials available. These science resources include kits and materials that can be borrowed for two weeks or longer.

Once the school library has been searched for materials, curriculum items may be ordered from our list of approved Educational Materials Resources ("EMRs"). We have windows of ordering throughout the year when the bulk of ordering is done. Together, the educational team determines the materials that are still needed and they decide which vendors are likely to carry such items. Once the team has determined which items they wish to order (with the IST having final approval authority), the teacher places the order through our on-line ordering system, which is then reviewed by the appropriate Principal. Materials acquired through EMR purchase are considered "checked out" to the student using them for that semester or year, and non-consumable items are turned into the curriculum library when no longer needed by the student.

1.8: Notification of Parents Regarding Transfer of Courses to Other Public High Schools and Eligibility of Courses to Meet College Entrance Requirements

Each year, Pathways notifies its parents and students regarding transfer of courses to other public high schools and the eligibility of courses to meet college entrance requirements through annual communications from the Pathways High School Guidance Coordinator, as well as at the school website and in the student handbook.

1.9: Serving Students With Disabilities

1.9.1: Overview

Pathways complies with all applicable requirements of federal and state law concerning the education of children with disabilities, including, but not limited to, the requirements of the Individuals with Disabilities Education Improvement Act (“IDEA”), Section 504 of the Rehabilitation Act and the Americans with Disabilities Act (“ADA”). The Charter School implements a Student Study Team Process (“SST”), a general education function, to monitor and guide referrals for Section 504, RtI and Special Education services. In its compliance with State and Federal laws, Pathways ensures the following:

Pathways complies with the federal requirement of offering a free appropriate public education (“FAPE”), and maintaining the least restrictive environment (“LRE”) for students with disabilities. To the extent that students with disabilities wish to participate in classes offered by Pathways they have access to such classes and their IEP’s identify applicable accommodations, modifications, and related services.

The facilities utilized by Pathways and its vendors are accessible for all students with disabilities. All students are given equal access to Pathways regardless of disabilities. Pathways does not discriminate against any student based upon disabilities. Pathways offers FAPE to all students.

Pathways ensures that parents receive procedural safeguards as required by law to ensure parents are informed of their rights under state and federal law. Pathways assures that the confidentiality of personally identifiable data is protected at collection, storage, disclosure and destruction.

Pathways assures that it makes good faith efforts to recruit and hire qualified, and credentialed personnel to provide special education and related services to children with disabilities.

Pathways assures that students with disabilities are included in general statewide assessment programs with appropriate accommodations, when required by applicable law.

1.9.2: Serving Students with Disabilities: Individuals with Disabilities Education Improvement Act

Pathways operates as a Local Educational Agency (“LEA”) in the Sonoma County Special Education Local Plan Area (“SELPA”) in accordance with Education Code Section 47641(a). Pathways is responsible for all aspects of serving students with disabilities and the chartering district has no responsibility for providing such services to Pathways students.

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

Because of the very nature of Pathways being an independent study program many of the issues affecting the educational progress of students who have special needs, such as behavior issues, social/emotional issues, or ADD/ADHD behavior, are addressed within the personalized approach of our program. For those students who continue to need support and have an IEP, Pathways assigns a case manager. Case managers are credentialed special education teachers. They may offer direct instruction to students and are also available to consult with ISTs on identified students who maintain an active IEP. Our identified “special needs” students are able to access support from a variety of sources in accordance with the IEPs that allow for consultative, collaborative, class support, or direct support.

The case managers may offer classes in writing, reading, math, or social skills development, depending on the needs of the students. The case managers are also available to meet with the students one-to-one weekly, if agreed upon in their IEP. In addition, the case managers track progress on goals and objectives to measure educational benefit and reconvene IEPs if progress is not being made.

Pathways adheres to all State and Federal laws and the SELPA plan, policies and procedures including, but not limited to, the following assurances:

- Pathways adheres to the policies, procedures and other requirements of its SELPA regarding services to special education students. Pathways receives state and federal special education funding in accordance with the allocation plan established by its SELPA.
- Pathways is responsible for providing all appropriate special education and related services, including identification, assessment, and development, implementation, and evaluation of written Individualized Education Programs, in accordance with all applicable state and federal laws for all students with exceptional needs. Pathways contracts with outside agencies or individuals to provide speech therapy, occupational therapy, physical therapy, or counseling services as written into IEPs. We also contract with a nurse to provide our vision and hearing screening for initial and three-year re-evaluations.
- Pathways convenes IEP team meetings, and ensures appropriate documentation of the IEP process and ensures compliance with all parent and student rights. Decisions regarding eligibility, goals/objectives, program, placement, and exit from Special Education is the decision of the IEP team. Services and placements are provided to all eligible School students in accordance with the policies, procedures and requirements of the SELPA. To the extent that the agreed-upon IEP requires educational or related services to be delivered by staff other than the Charter School staff, Pathways arranges for such services to be delivered by qualified professionals, including, but not limited to, identification, evaluation, and educational services. Pathways, when necessary, initiates and pursues due process hearings and claims as needed to ensure compliance with applicable laws. If a parent or guardian pursues a due process claim, the Charter School shall defend all aspects of the claim.

Pathways is required to comply with the Sonoma County SELPA Local Plan and state and federal law in identifying, assessing, and serving its eligible special education students. Pathways is located within the Sonoma County SELPA geographical boundaries. All eligible students under the IDEA will have an IEP, which meets all applicable legal requirements and is reasonably calculated to confer educational benefits in the least restrictive environment. The oversight of the special education programs at Pathways will be provided by Pathways’ Special Services Coordinator, who will have extensive administrative experience in

the area of special education service delivery and in state and federal statutes and regulations. The Special Services Coordinator represents Pathways by attending monthly meetings at Sonoma County Office of Education (“SCOE”) to keep current in special education trends and laws.

Pathways works closely with SELPA program managers and other SELPA personnel to support our Special Education department. The Special Education Information System (“SEIS”) is reviewed by the Pathways’ Special Services Coordinator at least monthly to ensure compliance with state and federal statutes, reporting requirements, and timelines. Monthly staff development is also provided to address local needs, review changes in the law, and introduce promising educational interventions.

Pathways has a Student Study Team (“SST”) as part of the general education program and as part of the IDEA child search/find requirements, as a vehicle for exhausting all general education possibilities before school personnel refer a student for a special education evaluation. However, the SST is not used to delay assessment of a pupil after parent request. The SST is comprised of a regular ed. teacher, SST coordinator, parent, special ed. teacher or coordinator of special services and, when appropriate, a school psychologist. We use a three-tiered Student Study Team Process, under Section 504 and through IDEA 2004 (Special Education).

The primary method of identifying students eligible for special education services is through the registration process, after a student has been enrolled. When a student has a current IEP or Section 504 plan, the registration process is conducted in the same manner as for all students. Upon completion of enrollment, a 30-day interim placement form is completed. Within 30 days of the student’s acceptance in the program, the parents, the student (when appropriate) and the IST determines if independent study is appropriate for the student, to address any waivers by the parent and to determine what the student’s special education program will be, and the IEP will be updated.

Students are also eligible for special education identification and eligibility determination through a “child find” process. The Charter School assures that all students with disabilities are identified, located and evaluated in accordance with applicable law.

Instructional staff is instructed about the characteristics of special education handicapping conditions and referral procedures. If a student is receiving special education services, his or her IEP is reviewed in an IEP meeting at least once a year to determine how well it is meeting student needs. In addition, every three years, student progress is reassessed and the IEP reviewed in accordance with applicable law unless otherwise agreed upon by Pathways and the parent/guardian. Pathways, prior to the placement of the individual with exceptional needs, ensures that the regular teacher or teachers, the special education teacher or teachers, and other persons who provide special education, related services, or both to the individual with exceptional needs is knowledgeable of the content of the IEP. A copy of each IEP is maintained at the school site. Service providers from other agencies who provide instruction or a related service to the individual off the school site is provided a copy of the IEP. All IEPs are maintained in accordance with state and federal student record confidentiality laws.

The case manager and the IST through a collection of work samples, observations, one-to-one instruction or classes closely monitor a student’s progress toward his/her IEP goals. A variety of individualized instructional strategies is used when working with special needs students. Writing instruction is met through classes, vocabulary development, individualized instruction, and spelling programs. Math goals can be met

through direct instruction or through classes offered at the site. With access to so many different curricula Pathways offers a unique opportunity to individualize learning. If a student is not making progress towards his/her academic goals a meeting is held to discuss this and changes may be made to the IEP or the delivery of services.

If a parent or teacher has concerns that the educational needs of students already enrolled in special education are not being met, either the parent or the teacher may request a reassessment or an IEP meeting to review the IEP anytime during the school year.

1.9.3: Section 504 of the Rehabilitation Act

Pathways recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program of Pathways. A student who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment, is eligible for protections under Section 504.

A 504 team is assembled by the Section 504 Coordinator (the Student Services Coordinator) and includes the parent/guardian, the student (where appropriate) and other qualified persons knowledgeable about the student, the meaning of the evaluation data, placement options, and accommodations. The 504 team reviews the student's existing records; including academic, social and behavioral records, and is responsible for making a determination as to whether an evaluation for 504 services is appropriate. If the student has already been evaluated under the IDEA but found ineligible for special education instruction or related services under the IDEA, those evaluations may be used to help determine eligibility under Section 504. The student's evaluation is carried out by the 504 team who will evaluate the nature of the student's disability and the impact upon the student's education. This evaluation includes consideration of any behaviors that interfere with regular participation in the educational program and/or activities. The 504 team may also consider the following information in its evaluation:

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

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

If the student is found by the 504 team to have a disability under Section 504, the 504 team is responsible for determining what, if any, accommodations or services are needed to ensure that the student receives a FAPE. In developing the 504 Plan, the 504 team considers all relevant information utilized during the evaluation of

the student, drawing upon a variety of sources, including, but not limited to, assessments conducted by the school's professional staff.

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

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

Pathways has adopted and adheres to a policy and procedure on Section 504 Compliance.

1.9.4: Low Achieving Students

A distinguishing feature of the Pathways educational program is that early intervention is provided as needed. This intervention is designed specifically to support the academic progress of low-achieving students.

The parent and/or the IST who is working with the student initially identify students who are not achieving at the expected rate. At this time a SST is convened to gather data that will help assess a strategy to work with the student. The IST will adapt assignments to support the student. From there a Response to Intervention Strategy is developed that attempts to accommodate the student's unique learning issues.

Outline of three-tiered RtI Process:

Pre-SST

- IST has student complete any pertinent assessment, such as the Renaissance Test in ELA or Math, to establish baselines.
- IST collects work samples from parents and teachers and discusses concerns with parents.

First Tier

- Contact the SST Coordinator – via email or phone – requesting an SST meeting for the student.
- Review the student's cumulative file (at the District Office).
- Complete the necessary documents in preparation for the SST meeting. During the SST, the team may recommend that the student (and, when appropriate, parent) complete benchmark assessments or other forms to help provide baseline information to the SST Team.
- Recommendations and interventions are suggested, to be implemented by the parent, as the teacher, and/or the IST.

Second Tier

- Follow –up meeting to review the impact of the recommended interventions.
- SST Coordinator decides if a special education teacher, other staff or Special Services Coordinator should be in attendance to help determine appropriate interventions.
- The special education teacher may offer to work with the family to review the specifics of alternative programs, strategies, etc. This may be intensive 1:1 intervention weekly from 4-6 weeks depending on the needs of the student.

- Student may be offered RtI support in reading, writing, or math.
- If student has responded, and there are no additional needs, no further SST meetings will be conducted, and the case is closed.
- When appropriate and/or warranted, a follow-up meeting is scheduled to review the impact of the interventions.

Third Tier

- Follow-up meeting to review the impact of the recommended interventions.
- The special education teacher or Student Services Coordinator, should be in attendance to review observations and recommendations.
- If student has responded, and there are no additional needs, no further SST meetings will be conducted but the IST and parent will continue to monitor progress.
- If student has NOT responded, and the Student Study Team feels it is appropriate, the student may be referred for an assessment through the Special Services Department.
- The special education teacher will take the responsibility for preparing the necessary paperwork for any subsequent assessment.

Other methods of supporting low achieving students are to provide individual or group tutoring, more frequent contact with the IST, enrichment center classes, changing curriculum to a type more suited to the student's unique needs or meeting with the special services coordinator to discuss strategies for instruction. These support services may be mandated through the use of an MOU.

1.9.5: English Learners

Pathways meets all applicable legal requirements for English Learners (“EL”), including long-term English Learners or English Learners at risk of becoming long-term English Learners, as they pertain to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, reclassification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. Pathways implements policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents.

Home Language Survey

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

English Language Proficiency Assessment

All students who indicate that their home language is other than English are tested with the English Language Proficiency Assessments for California (“ELPAC”). The ELPAC has four proficiency levels (Level 4: well developed; Level 3: moderately developed; Level 2: somewhat developed; and Level 1: minimally developed) and is aligned with the 2012 California ELD Standards.

The ELPAC consists of two separate assessments:

- Initial Assessment (“IA”)

The ELPAC IA is used to identify students as either an English Learner, or as fluent in English. The IA is administered only once during a student’s time in the California public school system based upon the results of the home language survey. The locally scored IA will be the official score. The IA is given to students in grades K–12 whose primary language is not English to determine their English proficiency status.

- Summative Assessment (“SA”)

ELs take the SA every year until they are reclassified as fluent English proficient. The ELPAC SA is only given to students who have previously been identified as an EL based upon the IA results, in order to measure how well they are progressing with English development in each of the four domains. The results are used as one of four criteria to determine if the student is ready to be reclassified as fluent English proficient, to help inform proper educational placement, and to report progress for accountability.

Both the ELPAC SA and IA are paper–pencil assessments administered in seven grade spans—K, 1, 2, 3–5, 6–8, 9–10, and 11–12. In kindergarten and grade 1, all domains are administered individually. In grades 2–12, the test is administered in groups, exclusive of speaking, which is administered individually.

Testing times vary depending upon the grade level, domain, and individual student. Both the ELPAC IA and SA are given in two separate testing windows through the school year.

The IA testing window is year-round (July 1–June 30). Any student whose primary language is other than English as determined by the home language survey and who has not previously been identified as an English Learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be assessed for English language proficiency within 30 calendar days after the date of first enrollment in a California public school, or within 60 calendar days before the date of first enrollment, but not before July 1 of that school year.

The SA testing window will be a four-month window after January 1 (February 1–May 31). The English language proficiency of all currently enrolled English Learners shall be assessed by administering the test during the annual assessment window.

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

Strategies for English Learner Instruction and Intervention

Pathways supports California’s ambitious “P-16 Initiative” whereby a plan is developed, implemented, and sustained to create essential steps for closing the achievement gap. Pathways will work hard to provide a school where all ELs achieve. P-16 identified the main components that are needed for ELs to thrive and are as follows:

- ACCESS to a rigorous curriculum
- CULTURE & CLIMATE that is safe and warm
- EXPECTATIONS of a high achievement standard for ALL students
- STRATEGIES or use of collaborative leadership practices and promising teaching methods by all teachers

To provide ELs with the outstanding learning environment detailed above, teachers continue to receive training in providing content-based /sheltered instruction using Specially Designed Academic Instruction in English (“SDAIE”) techniques as well as other effective methods of sheltering. Grade-level standards-based subject matter are taught in English. Differentiated instruction, which supports all learners, including ELs, is supported by instructional strategies such as project-based learning. The emphasis on the arts and technology also creates learning opportunities that allow English Learners to access content in different formats. These approaches diminish the reliance on reading and writing as the only classroom learning tools and allow students to demonstrate their mastery of subject matter in a variety of ways. Research shows that this method of instruction requires significant teaching skills in both English language development and subject-specific instruction; clearly defined language and content objectives; modified curriculum, supplementary materials, and alternative assessments (Echevarria, Vogt & Short, 2000).

Pathways currently utilizes a wide variety of supplemental materials in covering ELD standards. Pathways also promotes the success of English Learners by valuing their home language as a critical resource and by honoring bilingual families. Additionally, Pathways refers to California Department of Education’s “Quality Indicators” in providing translations to Native language(s) to encourage parent participation in the school and in conveying information about their child’s education. Pathways identifies new enrollees with a home language other than English, monitor their progress in learning English, and help reclassify them when they become proficient in English, using assessment tools in compliance with California Law. Qualified personnel perform these assessments.

Reclassification Procedures

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

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

Monitoring and Evaluation of Program Effectiveness

Pathways evaluates the effectiveness of its education program for Els by:

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

1.10: Legal Compliance

Pathways complies with all applicable laws relating to independent study legal compliance including but not limited to Education Code Section 47612.5 and Education Code Section 51745 *et seq.* (Appendix 15: Independent Study Policy.)

Goals, Actions and Measurable Outcomes to Achieve the Eight State Priorities

Pursuant to Education Code Section 47605(b)(5)(A)(ii), a reasonably comprehensive description of Pathways' annual goals to be achieved in the Eight State Priorities, school-wide and for all pupil subgroups, as described in Education Code Section 52060(d), and specific annual actions to achieve those goals will be formalized in the Pathways' Local Control and Accountability Plan ("LCAP"), with input from key stakeholders. The LCAP is attached as Appendix (17).

Pathways annually updates and develops the LCAP in accordance with Education Code Section 47606.5, uses the LCAP template adopted by the State Board of Education, and reserves the right to establish additional and/or amend school-specific goals and corresponding assessments throughout the duration of the charter term. Pathways submits the LCAP to the HUSD and County Superintendent of Schools annually on or before July 1, as required by Education Code Section 47604.33. The LCAP and any revisions necessary to implement the LCAP is not considered a material revision to the charter and is maintained by Pathways at the site.

ELEMENT 2: MEASURABLE PUPIL OUTCOMES

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.

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

2.1: Overview of Student Performance Outcomes

In alignment with its mission and vision, Pathways fosters high academic standards through the use of an individualized learning plan that covers the California Common Core State Standards and school SLOs. As a public school, Pathways will comply with all state mandated testing; the specific grade level requirements may vary from year to year, depending on the full implementation of the CAASPP (California Assessment of Student Performance and Progress) program. Pathways administration uses the annual dashboard results to help drive program goals and program improvement plans for student groups, including under-performing subgroups. Finally, the school has a Board policy on adequate progress which is monitored using the in-house benchmark systems, primarily Renaissance STAR Read and STAR Math using their Student Growth Percentile ("SGP").

As stated in Element A, pursuant to Education Code Sections 47605(b)(5)(A)(ii) and 47605(b)(5)(B), a reasonably comprehensive description of the Charter School's annual goals, actions and measurable outcomes, both schoolwide and for each subgroup of pupils, which address and align with the Eight State Priorities as described in Education Code Section 52060(d), can be found in the Charter School's Local Control and Accountability Plan ("LCAP"). Each of these goals addresses the unique needs of all students attending the Charter School, including our numerically significant student subgroups: [significant student subgroups in CAASPP are white students, Hispanic students, socioeconomically disadvantaged students and students with disabilities]. The metrics associated with these goals help the Charter School to ensure that these specific subgroups are making satisfactory progress, and are provided with necessary additional supports made possible by additional funds from the Local Control Funding Formula.

The current LCAP is on file with the District and is also available on our website at https://www.pathwayscharter.org/apps/pages/index.jsp?uREC_ID=294890&type=d&pREC_ID=680650 and in Appendix (17).

2.2: Student Performance Outcomes – Core Academic

Pathways was founded on the belief that students in the younger grades should be encouraged to learn in the way they learn best in addition to mastering academic content. To that end, educational teams for students in grades K-3 focus on observing how best to build on student learning styles and to allow for a developmental approach to academic mastery. By sometime during the 4th grade, students who have been at Pathways for

four years begin to adhere to more traditional grade level progressions, while still using their unique learning styles to access state standards and move toward preparation for middle and high school.

In the lower grade levels, it is not uncommon for a child to reach various benchmarks at different developmentally appropriate stages. For example, a 2nd grader may be working at a 3rd grade standard for math, while struggling at a 1st grade standard in reading. Support for student learning aims at developing consistent student improvement and progress toward goals. This approach helps guide teachers and parents in identifying current levels of achievement and supporting student success at future benchmarks.

Grades TK-8

The grade level Learning Period Student Assignment Sheets include Learning Objectives that provide guidance as to annual goals. The Learning Objectives reference the subject-specific content and academic skills to be addressed based on the grade level CCSS, and make recommendations regarding time on task expectations. Individual student assignments should reflect the goals and objectives that are appropriate for the age, learning style, and developmental level of each child. However, all plans must focus on the obtainment of prescribed standards by the State of California.

Grades 9-12

Teachers of students enrolled in high school are required to adapt all academic goals to a high school course sequence that will lead to graduation. In addition, teachers must consider a student's possible transition or return to a traditional public or private high school, as well as their post-graduation plans. Teachers of high school students are the initial guidance counselor for their students, but have access to the support and consultation services of the Pathways Guidance Coordinator. Understanding graduation requirements and placement of the student in appropriate courses is of primary concern to all Teachers.

Language Arts

Our ultimate goal for English Language Arts instruction is to develop students' skills to become effective communicators and discerning, inquisitive researchers who appreciate literary and informational texts and become lifelong learners. Students read, write, and argue using grade-level literature and informational texts across all subject areas.

- English Language Arts areas of focus include: **speaking, writing, and presentation skills**, using modern technological tools. Specifically, research, writing and oral presentation skills are developed in all grades, with increasing emphasis and development in middle and high school. Supplementation with creative writing and interdisciplinary projects is designed to reflect both the breadth and depth of student understanding.
- Students across the grade levels have ample opportunity to analyze **literary texts** for plot, character development, theme, structural patterns, rhetorical elements, context, and author's point of view. Students interact with a diverse, multicultural array of texts, at times through classes in world folklore traditions for younger students, literature circles for elementary and middle school students, and analytical literature seminars for high school students.
- Students engage with **informational texts** for real life applications of ELA literacy and to bring awareness of the world around them through journalism, research, current events, and global issues. Students develop a critical approach to primary and secondary sources, examining their rhetorical elements and context, and evaluating them for bias.
- Students participate in all aspects of **the writing process**. From sentence construction and paragraph formation to voice and thesis development, student writing is scaffolded from K-8 to prepare students

for high school readiness. Writing projects include narrative, descriptive, compare/contrast, expository, literary analysis, process, poetry, creative writing and persuasive essays, as well as research-based papers. High school courses require twice yearly portfolios, with assignments and samples drawn from writing across all academic forms.

- **Grammar and vocabulary** are continually expanded through an emphasis on application in written work, as well as direct instruction.
- Graduates from Pathways will be **effective oral and written communicators**, as well as **critical readers and researchers**.

English Language Arts **mastery and performance** is evaluated in multiple ways, including, Smarter Balanced Summative Assessments (Grades 3-8 and 11, annual); in-house benchmark assessments (Grades K-2, annual baseline and progress); Renaissance STAR Enterprise Reading computer-adaptive assessments (Grades 3-11, annual baseline and progress); Clear Writing Demonstration (Grades 9-12, annual); formative, summative, and performance assessments, as well as portfolio reviews conducted by ISTs and class instructors (Grades TK-12, ongoing); and other assessments as determined by the English Department Chair or designee.

Mathematics

The primary goal for math instruction is that Pathways students will be able to effectively demonstrate their math skills, with full comprehension, in real life settings. The math curriculum is driven by the scope and sequence outlined in the Common Core State Standards. Instruction is geared toward mastery of grade level standards and content, as well as the ongoing application of the standards of mathematical practice. Throughout the grades, the focus of math courses is clearly on concept mastery, rationale and application of functions. All grades will participate in annual standardized assessments as well in-house assessments.

Graduates from Pathways will be able to successfully apply math concepts to real life problems and situations. Students will also be able to collaborate in order to solve problems and explain their thinking and answers using mathematical vocabulary. Mathematics mastery and performance is evaluated in multiple ways, including: grade-level standardized tests (Grades 3-8 and 11, annual); in-house benchmark assessments (Grades K-2, annual baseline and progress); Renaissance STAR Enterprise Math online adaptive assessment (Grades 3-11, annual baseline and progress); formative, summative, observation and performance assessments; diagnostic math placement exam (UC/CSU Mathematics Diagnostic Testing Project), beginning at the pre-integrated level, to ensure enrollment in a math course at an appropriate level (Grades 7-12, annual); departmental end-of-course exams, beginning at the Integrated 1 level (Grades 7-12, annual); unit testing; and portfolio reviews conducted by ISTs, class instructors, and/or the Math Department Chair or designee.

History-Social Studies

Our history and social studies curriculum is aimed at developing learners who understand that history and social science are about real people, in real places, solving problems relevant to their lives. Students will understand the interrelationships among the peoples of the world and will realize that studying the past is invaluable for understanding the present and is indicative of possibilities for the future. Students will experience interdisciplinary studies which includes multiple cultural perspectives. Students are expected to show understanding of both depth and breadth of knowledge. Throughout all grades, in order to promote civic engagement and active citizenship, it is recommended that students integrate current events into the curriculum as well as awareness of the need for tolerance and empathy.

Graduates from Pathways will be successful researchers and will have demonstrated the ability to communicate critical analyses relevant to the content covered in the remaining California State Standards and the Common Core State Standards for Literacy. Social Studies mastery and performance is evaluated in multiple ways, including: unit testing; formative, summative, and performance assessments; and portfolio reviews conducted by ISTs, class instructors, and/or the Social Studies Department Chair or designee.

Science

Pathways' approach to science instruction includes experimentation (with lab reports) and field trips. Major concepts are re-emphasized as appropriate and relevant to selected units of study. Students are prepared throughout the curriculum (see Learning Period Student Assignment Sheets (LPSAS) and pacing guides for grade-level objectives) for periodic standardized state-mandated assessments in science (designated grades). Throughout all grades, it is recommended that students integrate current events – including issues of sustainability and the environment – and meaningful field studies into the curriculum.

Graduates from Pathways will be critical thinkers and capable researchers and will have demonstrated the ability to apply the scientific method for testing and analyzing hypotheses relevant to the content covered in the California State Standards, Next Generation Science Standards (“NGSS”) and the Common Core State Standards for Literacy. By the time students have completed science studies in eighth grade, they will have progressed through all standards for life, physical, and Earth sciences. Science mastery and performance is evaluated in multiple ways, including: grade-level state-mandated standardized tests (designated grades annual); departmental end-of-course exams (Grades 9-12); unit testing; formative, summative, and performance assessments; and portfolio reviews conducted by ISTs, class instructors, and/or the Science Department Chair or designee.

ELEMENT 3:

METHODS TO ASSESS PUPIL PROGRESS TOWARDS MEETING OUTCOMES

The method by which pupil progress in meeting 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.

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

Pathways affirms that, 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. Methods of measurement of the student outcomes aligned with the Eight State Priorities are described in the LCAP, attached as Appendix (17).

3.1: Independent Study Documentation and Evaluation of Student Work

Each semester, the Educational Team meets to plan an individualized course of study. At this meeting, the team discusses the student's educational goals for the semester in each core subject area as well as the resources that will be utilized; high school students determine the specific courses to be taken and graduation requirements to be addressed that semester.

During the initial planning meeting, the teacher reviews with the student and parent the Master Agreement, which must be signed by all parties. This form details the responsibilities of each group member – student, parent, and teacher – and is the primary document authorizing the student's enrollment at Pathways for the named semester. In addition to the Master Agreement, each team member must sign the Acknowledgement of Responsibilities and Memorandum of Understanding (if applicable). The Acknowledgement further details the expectations and obligations of all parties, while the MOU documents specific interventions or program expectations mandated for a student who needs additional support to be successful at Pathways. The MOU may be required at the time of initial enrollment, or may be added at the beginning of the semester if the student fails to make adequate progress or other relevant circumstances arise. (Appendices 3-4-5: sample Master Agreement, Acknowledgement and MOU.)

During each regularly scheduled Educational Team meeting, the following documentation is reviewed. This process sets the framework for assessment of student progress and the development of future assignments.

1. *Completed Student Learning Log:* For each day, the parent is responsible for confirming that the student is engaged in learning each school day. The parent signs and dates near the top of the form and notes any absent days in the space provided for each day.
2. *Student work samples from each subject area/high school course:* Teachers must review assigned work and award attendance at least every 20 school days based on their review of the full body of work assigned in the learning period. One original sample from each subject area for each learning period must be on file in our office and represent evidence that work is being done. Examples of appropriate work samples include: written assignment such as an essay, book report, math page or grammar activity, as well as

annotated pictures, video/audio recordings, descriptions and illustrations from a science journal, history project notes, etc.

3. *Other student work/projects*: The scope of a learning period's work is the domain of the entire educational team. The teacher reviews any projects a student has been working on, even if they are not complete, so that she or he can contribute, along with the parent, to the overall assessment. The IST also guides the creation of the next period's assignments, and offer suggestions and resources in support. The family's role on the educational team is to provide daily instruction and student oversight, and to keep a log of the student's activities each month. This is necessary for legal independent study documentation. (Note: any work done or time spent with regard to a community college class shall not be counted.)

High School Assignment Sheets/Assignment and Work Records (AWR)

Student assignment sheets (which include embedded standards and objectives) are used to provide clear, definite goals based on Common Core State Standards. The curriculum and accompanying assignments for each student must reflect the established standards and be evident in student results. Student assignments are designed to meet individual, standards-based goals. Appropriate curriculum is secured and activities are developed and implemented that support the learning goals. Teachers develop activities that lead to measurable outcomes, taking into consideration each student's needs and learning styles.

On-going Progress Evaluation

Performance assessments are conducted throughout the semester and the degree to which this method of assessment is employed varies with individual students and their unique learning styles. Often monthly evaluations contain a performance component. Rather than using multiple-choice and fill in the blank tests, students are regularly asked to "show" their understanding of material. For example, students are often asked to "talk teachers through" math procedures and errors. Students are asked to demonstrate an understanding of science topics such as erosion, the water cycle and the nitrogen cycle as they map out and construct gardens using principles in Earth/environmental sciences. Students are assessed in their understanding of historical events by participating in role playing and reconstruction activities. Teachers often observe students' music, dramatic, and PE demonstrations both as a part of assignment reviews and as part of events staged by members of the greater community that our students have worked with as a part of academic and non-academic SLO goals.

The list of performance assessment tools used by various class and independent study instructors is nearly endless as most of our students are assessed in task completion on a monthly basis. One of the most obvious displays of student progress takes place during our annual performance and project fairs. Each of the three largest regions hosts a performance fair during the spring and students delight in displaying their work accomplishments completed throughout the year. In addition, several regions hold annual science fairs, and our online college prep students come together in late May for a day of oral research project presentations.

Students will be assessed by a combination of ongoing "authentic" assessments, such as portfolios and public exhibitions, as well as standardized tests, including the in-house

assessments and the state-mandated yearly achievement test.

Student Accountability Progress Checking Tools

The legal requirements for independent study attendance accounting have an impact on monitoring student progress. The requirements are such that any student, at any grade level, who is not making adequate progress in content mastery or who is not completing adequate levels of satisfactory (as determined by individual student aptitude) work is easily and immediately identified. In order to claim Average Daily Attendance for an independent study student, our teachers must regularly assess the quantity and quality of work completed at their regular student meetings. Students who are not making satisfactory progress toward academic and non-academic goals from assignments are identified during Team meetings. As per Board policy, students are expected to make adequate progress defined one year’s worth of growth in a year’s time. An Independent Study Teacher’s first course of action is to suggest modifications to the types of assignments the student is completing. If this does not prove successful and has missing assignments, then his/her IST completes an Improvement Referral (see Appendix 8 Student Improvement Referral Form) . These forms are reviewed by the Team and are forwarded to Principals in an attempt to quickly identify and rectify situations in which students are not making adequate progress in either content mastery or on other stated standards or SLOs goals. The end result is that if, after multiple alterations to curricula and various alternative assignments are designed for a specific student, the student still does not demonstrate progress, the Team investigates possible learning difficulties and/or investigates an alternate educational format for the student. If the student continues with Pathways, it is possible that an MOU will be added to the semester paperwork, documenting additional requirements or restrictions to the student’s learning plan. (Appendix 4: Memorandum of Understanding.)

3.2: Pathways Student Assessment Plan

Pathways meets all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. Student progress is reported on grade reports each semester. Student progress is also assessed monthly and remediation plans are implemented for any student making unsatisfactory progress.

The following matrix includes the currently required state assessments. Pathways adheres to the tests that are required by grade level, as mandated by the state. These tests currently include the California Science Test (“CAST”), CAASPP, and the ELPAC.

Student Outcome and Assessment Matrix

Measurable Outcomes	Assessment Tools
Students will achieve proficiency in <i>English-Language Arts</i>	<ul style="list-style-type: none"> • Smarter Balanced Summative Assessments (3-8, 11) (proficiency is defined as standard met or standard exceeded) • Renaissance STAR Reading Enterprise Assessment (3-11) • In-house benchmark assessments (K-2) • Clear Writing Diagnostic Essay (9-12) with rubric • Curricular unit assessments (K-12)

	<ul style="list-style-type: none"> • Portfolios using corresponding rubrics (esp. 9-12 courses) • Student websites and resumes, writing projects and presentations • Authentic assessments from class teachers, ISTs, and parents
<p>Students will achieve proficiency in <i>Mathematics</i></p>	<ul style="list-style-type: none"> • Smarter Balanced Assessment Consortium (proficiency is defined as standard met or standard exceeded) · In-house benchmark assessment · Renaissance STAR Math Enterprise · Diagnostic placement exams · Departmental end-of-course exams · Curricular unit assessments · Portfolios and other authentic assessments · Performance Assessments • Observations • Presentations
<p>Students will achieve proficiency in <i>Science</i></p>	<ul style="list-style-type: none"> • CAST • Smarter Balanced Assessment Consortium (Literacy) (standards met or standards exceeded) • Departmental end-of-course exams/finals • Curricular unit assessments • Portfolios and other authentic assessments • STEM Fair • Quantitative reasoning and data analysis

<p>Students achieve proficiency in <i>History-Social Studies</i></p>	<ul style="list-style-type: none"> • Monthly Formative assessments • Monthly Formative assessments • Curricular unit assessments • Portfolios and other authentic assessments • High school finals • Literacy - Smarter Balanced Assessment (SBAC)
<p>EL students will make substantial progress toward <i>fluency in English</i></p>	<ul style="list-style-type: none"> • ELPAC (K-12) • In-house benchmark assessments (K-2) • Curricular unit assessments (K-12) • Portfolios • Authentic assessments from class teachers, ISTs, and parents, including teacher observation of student interaction in classes or other communication
<p>Special Ed students will achieve or make progress toward the learning <i>goals in their IEP</i></p>	<ul style="list-style-type: none"> • IEP progress review • IST assessments • Other assessments tools as selected or designed by IEP team • Portfolios and other authentic assessments
<p>Pathways students will show continued progress on <i>writing skills</i> annually</p>	<ul style="list-style-type: none"> • Clear Writing Diagnostic Essay (9-12) • IST and class instructor assessments (K-12) • Portfolios • Authentic assessments from class teachers, ISTs, and parents • Lab reports, field studies, current events, writing assignments replaced Other assignments
<p>Students will develop <i>critical thinking and creativity skills</i></p>	<ul style="list-style-type: none"> • Portfolios • Projects • Presentations • Writing assignments • Internships, community service, and interdisciplinary activities
<p>Students will become competent, self-motivated, <i>“lifelong learners”</i></p>	<ul style="list-style-type: none"> • Portfolios • Projects • Goals and participation logs • Presentations • Writing assignments • Internships, community service, and interdisciplinary activities • Self-reflection

Pathways uses multiple measures to assess pupil educational progress in Core Academics, including but not limited to the following:

- California Standards Tests and Smarter Balanced Assessment
- Clear Writing Demonstration
- Math diagnostic/placement exam
- End-of-course exams, as outlined in school policies
- Diagnostic and benchmark assessments:
 - In-house benchmark assessment – ELA, Math (Grades K-2)
 - Renaissance STAR Enterprise assessment – Reading, Math (Grades 3-11)
- Curricular unit assessments
- Formative, performance, and summative assessments
- IST’s oral formative assessments conducted in regular Educational Team meetings
- Portfolio review
- Student self-assessments, as applicable

School-wide assessment data will be published annually in Pathways’ School Accountability Report Card (“SARC”) and presented to the public and to the Pathways and Harmony Union Elementary School District Board of Trustees.

The progress and achievements of students at Pathways is assessed in core academic areas on an on-going basis through a combination of teacher assessments, self-evaluations, portfolios, state-required standardized tests, and alternate school-provided (school-mandated) assessments as required by Pathways School Board policy.

Standardized Assessments

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

Diagnostic and Benchmark Assessments

Pathways conducts multiple diagnostic assessments throughout the grades in order to support individual student needs and to inform instruction. These assessment tools are outlined further in the chart above. We require Language Arts and Math assessments to be administered schoolwide at least two times per year: baseline (in the fall or at the time of enrollment) and progress (near the end of the year). Of course, teachers are encouraged to administer these assessments more often, if warranted. For students in Grades K-2: a one-on-one teacher-administered benchmark test is administered in Language Arts and Mathematics. For students in Grades 3-11: the Renaissance Learning STAR Enterprise Reading and Math computer-adaptive assessments are administered. These scores are recorded, with the hope that the data will provide a means to gauge longitudinal measures of student progress as well as to identify successful curriculum and instruction and to build upon best practices. The Renaissance STAR Read and STAR Math are also used to check for annual adequate progress, as per Board policy, using the student growth percentile scores.

Benchmark Assessments

Individual ISTs conduct regular progress evaluations at the semester as well as less formal benchmark assessments on a monthly basis. In accordance with our mission and vision, and in consideration of our developmental approach in the lower elementary grades, in particular, the form of the benchmark assessments varies according to student grade and academic skill level. For students in Grades TK-8, Learning Period Student Assignment Sheets include Learning Objectives that provide guidance as to annual goals. The Learning Objectives are based on the Common Core State Standards (as well as the California Content Standards for Social Studies and Science); they reference the subject-specific content and academic skills to be addressed, and make recommendations regarding time on task expectations. (See APPENDIX 6 Grade 8 Learning Period Student Assignment Sheet).

Clear Writing Demonstration

The Clear Writing Demonstration is administered each fall to students in Grades 9-12, who are given an assignment packet (including the written prompt, instructions, guiding rubric, and a collection of relevant research), and required to independently write a research-supported persuasive essay using proper MLA format. The students are asked to support their argument with several sources of information, and to include evidence of all stages of the writing process when they submit their final draft. Teams of Pathways teachers then read, evaluate, and score each essay, using the same rubric provided to students. This feedback can be used by ISTs to inform instruction, acknowledging the strength in a student's writing and targeting areas for improvement.

Mathematics Assessments

Our Mathematics Department Chair oversees the administration of the mathematics diagnostic placement/readiness assessments, which were developed as part of the CSU/UC Mathematics Diagnostic Testing Project. Tests are available for pre-algebra as well as all of the high school integrated math courses. Pathways ISTs with middle or high school students who are preparing to take one of the above-listed courses are required to arrange administration of the appropriate readiness assessment. Based on student performance, the Math Chair is then able to provide teachers and students with curricular and course placement recommendations. Given the flexibility of our program, and the fact that students have some choice with respect to materials and pacing, this diagnostic information, combined with IST observation and feedback, is invaluable. In addition to the pre-course diagnostic, all high school level math courses have a required end-of-course exam. These scores are recorded, with the hope that the data will provide a means to gauge longitudinal measures of student progress as well as to identify successful curriculum and instruction and to build upon best practices.

Portfolio Assessment for College Prep

For each core, college-prep level course in English, mathematics, social studies, and science, the subject-area expert department chairs have outlined the course pacing and options of materials. Furthermore, all independent students, regardless of which curricular option they choose, must submit a portfolio of required items for periodic review by the appropriate department chair or subject area expert class instructor. Selected items are submitted throughout the semester as a means to assess and guide progress, with the complete portfolio due at the end of each semester. Department chairs and expert instructors provide feedback directly to the students and their

teachers, as well as to the Principal for the student's region. The chairs provide support and expertise, as well as resource and instruction suggestions, and they are available to consult with their colleagues and to work directly with students, as each situation requires. In addition, the Department Chairs conduct weekly advisory/tutorial hours to support college prep students not otherwise enrolled in classes. Finally, students also have the option to take some college prep level courses at regional learning centers or through local community colleges, as appropriate. (Appendix 7: CP a-g Course List.)

Student Self-Assessment

Since students are held accountable to their own individualized learning goals, each student's progress toward meeting standards is assessed with continual progress as the goal, rather than toward a static measurement taken once a year. As a general rule, we expect students to meet 80% of all learning goals set within the time frame established by the Educational Team of parent, teacher and student.

On-going Progress Evaluation

Pathways believes that progress toward mastering academic content cannot be effectively measured precisely at annual intervals nor does instruction and understanding necessarily coincide with the sequence of state standards. As such, Pathways relies heavily on teacher-generated performance assessments as concurrent and longitudinal reflections of student progress throughout an academic year and throughout a student's tenure at Pathways. Performance tasks may be used primarily for assessment at the end of a period of instruction, but are frequently used for learning as well as assessment. This approach is consistent with the pedagogy and mission and vision of Pathways.

Individual student progress will be subject to consistent, ongoing teacher evaluation of student work which will include but not be limited to a review of assignments, evaluation of written essays, practical exercises, projects, and individually designed-independent study or small group projects. For high school students, grade/credit assessments and academic progress toward graduation evaluations will be completed at least once a semester.

Monthly/weekly evaluations and Educational Team conferences hold students accountable to their work products. In these regularly scheduled meetings, student goals are identified and outlined and the work completed since the previous meeting is reviewed and assessed. Goals are identified and assessed on an individual basis and use State content and Pathways' standards as a foundation for all assignments. Progress toward these goals is assessed using many methods including teacher made tests, oral presentations, review of work samples, discussions and debates, oral quizzes, written summaries, project review and teacher observation of performance tasks.

Report Cards

Students in grades TK-12 receive semester report cards indicating progress in the courses listed on the Master Agreement. This is a responsibility taken on by the teacher of record. The report card may be narrative and/or include letter grades except for high school students who must be issued letter grades. Parents may provide input into the assessment, but it is the teacher whose name appears on the report. The Teacher is responsible for providing each family with the final report card.

High school students receive semester grade reports directly from their Teacher. These grade reports are based on a letter format, which translates to a 4.0 GPA reporting system on transcripts. Teachers may assign grades on report cards only for work they directly assign or that is supervised by other certificated school staff. In no case shall a teacher write a grade on a school report card, which was given to the student by a Junior or Community College. Students who take JC/CC courses must have the transcripts forwarded to the office for inclusion on official transcripts. The student/family is responsible for getting transcripts to the school office. High school students work with their ISTs and the high school advisor to verify which of their courses satisfy UC a-g requirements. The Pathways student transcript identifies course designations and WASC accreditation (for transferability and applicability).

3.3: Data Management, Analysis, and Continuous Improvement: Reporting Schoolwide Student Achievement Data

Pathways' student performance data is reported to school staff, parents/guardians, school board members and other interested community groups. At monthly team meetings, parents/guardians will review the progress of their child, sharing and discussing test scores, schoolwork and compliance with our independent study program expectations. At these meetings, strategies will be discussed, so that the student has the best chance of improving his/her performance.

In addition to monitoring their children's progress, parents/guardians receive reports of Pathways' overall school performance. A key part of parental involvement includes letting us know what we are doing well and what we can improve upon. To enable this dialogue, parents/guardians need to have a holistic view of how our school is performing. As outlined in our school assessment plan above, we use multiple assessment measures to gauge whether we are succeeding in our mission. Some of these performance measures include standardized test scores and API rankings dashboard state indicators. The results of state test scores and API rankings accountability testing and performance on state priorities through the dashboard come out once a year and will be reported to our parents/guardians (via parental mailings and electronic bulletins and our website) shortly after the rankings are released. This annual performance report also includes the results of our other assessments measures, including our adequate progress growth measures, authentic assessments, etc. In addition to an annual report, we share with our parents/guardians the results of any ongoing measurements that fluctuate during the year. Additionally, each administrative team member is responsible for monitoring and overseeing the implementation of a specific assessment and they make annual reports to the board regarding their assessment role at varying frequencies specific to their assessment.

School Accountability Report Card

Additionally, the school publishes student results annually through the SARC, in compliance with the California Constitution and the Education Code. The report includes pertinent facts and data about Pathways and will be made available to the public as required by law.

Annual Parent Survey

Pathways compiles survey results gathered at the end of each school year where parents evaluate their child's educational experiences. The survey asks parents to measure satisfaction in categories such as overall student growth (academic and social), satisfaction with program offerings, how well Pathways fulfilled its mission and vision, and overall parent satisfaction. Results are reported to the charter authorizer and published on the dashboard in the local indicators. Results are also used to support school policy, matters of curriculum, and help identify future goals.

Annual Performance Report

In addition to the SARC, Pathways provides to the District a yearly performance report. This report includes the following information:

- Summary data showing student progress toward the goals and outcomes listed above. This data is displayed on both a charter school-wide basis and disaggregated by reportable subgroups to the extent feasible without compromising student confidentiality.
- A summary of major decisions and policies set forth by the Pathways Board of Directors during the year.
- Data on the parent involvement in the Charter School's governance (and other facets of the School) and summary data from a yearly parent satisfaction survey.
- Data regarding the number of staff working at the School and their qualifications, including copies of credentialing, proof of fingerprinting and background checks, and TB testing.
- A copy of the Charter School's health and safety policies and any major changes to those policies during the year.
- Data showing whether Pathways implemented the means listed in the charter to strive to achieve racially and ethnically balanced student population.
- A comprehensive view of the Charter School's admissions practices during the year. This will include information regarding the numbers of students enrolled, children on waiting lists and the students expelled and/or suspended.
- Analyses of the effectiveness of the Charter School's internal dispute mechanisms and information regarding the number and resolutions of disputes and complaints.
- Any other information regarding the educational program, the administrative, legal and governance operations of the Charter School relative to compliance with the terms of the charter generally.

Pathways complies with District requests regarding the content, evaluation criteria, timelines and process for the annual performance report. The Charter School uses the data in the performance report to assess and improve upon its educational programming as deemed necessary.

3.4: District Visitation/Inspection

Pathways complies with a District requested visitation process to enable the District to gather information needed to validate the school's performance and compliance with the terms of this charter. However, the Charter School agrees to and submits to the right of the District to make random visits and inspections or observations in order to carry out its statutorily required oversight in accordance with Education Code Section 47604.32.

3.5: Response to Inquiries

Pursuant to Education Code Section 47604.3 the Charter School shall promptly respond to all reasonable inquiries including, but not limited to inquiries regarding its financial records from the District, the County Office of Education, and the State Superintendent of Public Instruction.

ELEMENT 4: GOVERNANCE STRUCTURE OF THE SCHOOL

Governing Law: 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.

Education Code Section 47605(b)(5)(D).

Nonprofit Public Benefit Corporation

Pathways is a directly funded independent charter school operated by Independent Paths to Learning, Inc., a California Nonprofit Public Benefit Corporation, pursuant to California law. Attached, as Appendix 9, please find Articles of Incorporation and Corporate Bylaws of the Corporation.

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

Although the revised bylaws include a statement that the management of the activities of the Corporation can be turned over to a management company, it is not the current intent of the Board of Directors to exercise this option. Should the Board wish to pursue this option in the future, this would constitute a material revision to the petition and would require prior District approval.

Memorandum of Understanding

A Memorandum of Understanding has been developed that further defines the relationship between HUSD and Pathways.

Board of Directors

Pathways is operated and governed by the Independent Paths to Learning, Inc. (“Nonprofit”) corporate Board of Directors (“Board” or “Board of Directors”) in accordance with its adopted corporate bylaws, which is consistent with the terms of this charter.

The Board consists of five Directors, including two elected community Directors, two community Directors designated by the Board, and one Staff Director elected by Pathways staff. The community or parent Directors of the Board cannot also be employees of the Charter School. The Nonprofit shall seek community Directors with expertise in areas critical to the Charter School’s success, including but not limited to education, school finance, fundraising, facilities, government, business, and the law. The Nonprofit strives to seat Board Directors who live in each of the counties served by Pathways.

Annual Organizational Meeting

The November General Board meeting will be considered the Annual Organizational Meeting.

Board Director Terms & Elections

The authorized number of Directors shall be five (5). One (1) Staff Director shall be elected by the Staff. Two (2) Community Directors shall be elected by the Community. Two (2) At-Large Directors shall be designated by the other Directors on the Board. The Staff Director must be an employee. The Staff Director may not reside in the same county as his or her predecessor Director, unless no staff member residing in a different county stands for election prior to May 1st of each calendar year. A Community Director candidate may not reside in the same County as the continuing Community Board Director, unless no other community Director residing in a different county stands for election prior to September 15th of each calendar year. There are no residency qualifications for At-Large Directors. Director candidates must attend at least one (1) Board meeting in the prior calendar year to be considered for nomination. The “community” is defined as the families who enroll their children in Pathways.

Term of Office

The term of office for Staff Representative Director shall be two (2) years. The Staff Representative Director’s term will expire on June 30th of the Staff Representative Director’s second year of the term of office.

The term of office for Community Director shall be three (3) years. Terms of office shall be staggered. Each Community Director term will expire at the conclusion of the June regular meeting in the third year of the Director’s term.

The term of office for At-Large Director shall be three (3) years. Terms of office shall be staggered. Each At-Large Director’s term will expire at the beginning of the August regular meeting in the third year of the Director’s term.

Each Director in good standing, including those appointed to fill a vacancy, shall hold office until the expiration of their term of office, and until a successor Director has been designated and qualified.

Subject only to the applicable limitations of Corporations Code Section 5220, there shall be no limit to the number of terms or years an individual may serve on the Board as a Community or At-Large Director. An individual may only serve two (2) consecutive terms as Staff Representative Director.

Director Elections

Elections for the Staff Director occur during the June staff in-service meeting. Prior to May 15th of each year, potential candidates for Staff Representative Director must submit a signed letter of intent to the President of the Board. Candidates may also submit a brief statement which may be publicly posted. At the June staff in-service meeting, Staff Representative Director candidates will be given up to three minutes to address those in attendance prior to voting. Candidate names

and County of residence will be on each ballot. Ballots will be accepted up to 10 minutes after candidate statements have concluded. The top vote earner will become the Staff Director Elect, to be seated as first order of business at the next meeting after June 30th.

Elections for Community Director positions occur during the June general meeting. Prior to May 15th of the year, potential candidates for Community Director must submit a signed letter of intent to the President of the Board. Community Director candidates may also submit a brief statement which may be publicly posted. At the June general meeting, Community Director candidates will be given up to three minutes to address those in attendance prior to voting. Candidate names and County of residence will be on each ballot. Ballots will be accepted up to 10 minutes after candidate statements have concluded. The top vote earner will become the Community Director Elect, to be seated as first order of business at the next regular meeting after June 30th.

There are no elections for At-Large Directors. At-Large Directors are interviewed and appointed by the other seated Directors. Interview and appointment of the At-Large Director seat just vacated will occur during the August general meeting. Prior to July 15th of the year, potential candidates for At-Large Director must submit a signed letter of intent to the President of the Board. At-Large Director candidates may also submit a brief statement which may be publicly posted. The Board will interview At-Large Director candidates which fit the nominating criteria. The Board will then determine whether any candidates fit the Board's requirements to fill the vacancy.

Board Duties

The Pathways Board of Directors will meet regularly, at least once a month and in accordance with the Brown Act. The Board of Directors, except the Staff Director, shall be responsible for the following personnel matters:

- Hire, supervise, evaluate, discipline, and dismiss the Executive Director of the Charter School;
- Hire, promote, discipline and dismiss all employees of the Charter School after consideration of a recommendation by the Executive Director;
- Approve all contractual agreements;

- Regularly measure progress of staff performance.

The Board of Directors is fully responsible for the operation and fiscal affairs of the Charter School including but not limited to the following:

- Approve and monitor the implementation of general policies of the Charter School. These include effective human resource policies for career growth and compensation of the staff;

- Approve and monitor the Charter School’s annual budget and budget revisions;
- Act as a fiscal agent. This includes the receipt of funds for the operation of the Charter School in accordance with charter school laws and the receipt of grants and donations consistent with the mission of the Charter School;
- Contract with an external independent auditor to produce an annual financial audit according to generally accepted accounting practices;
- Establish operational committees as needed;
- Regularly measure progress of both student and staff performance;
- Involve parents and the community in school related programs;
- Execute all applicable responsibilities provided for in the California Corporations Code;
- Engage in ongoing strategic planning;
- Approve the school calendar and schedule of Board meetings;
- Review requests for out of state or overnight field trips;
- Participate in the dispute resolution procedure and complaint procedures when necessary;
- Approve charter amendments as necessary and submit requests for material revisions as necessary to the District for consideration;
- Approve annual independent fiscal audit;
- Appoint an administrative panel or act as a hearing body and take action on recommended student expulsions;
 - Exercise all powers vested in the Board under the laws of the State of California;
- Appoint and remove all officers of the corporation, and corporation employees, if any; prescribe any powers and duties for such persons that are consistent with law, the Articles of Incorporation and the Bylaws; and fix their compensation;
- Appoint such agents and employ such other employees, including attorneys and accountants, as it sees fit to assist in the operation of the corporation, and to fix their duties and to establish their compensation;
- Adopt and establish rules and regulations governing the affairs and activities of the corporation, and take such steps as it deems necessary for the enforcement of such rules and regulation;
 - Enforce all applicable provisions of the Bylaws;
- Contract for and pay premiums for insurance and bonds (including indemnity bonds) that may be required from time to time by the corporation;
- Pay all taxes and charges that are or would become a lien on any portion of the corporation’s properties;
- Prepare budgets and maintain a full set of books and records showing the financial condition of the affairs of the corporation in a manner consistent with generally accepted accounting principles;

- Open bank accounts and borrow money on behalf of the corporation and designate the signatories to such bank accounts;
- Bring and defend actions on behalf of the corporation so long as the action is pertinent to the operations of the corporation.

The Charter School shall comply with the Brown Act.

The Charter School has adopted a Conflict of Interest Code that complies with the Political Reform Act and Corporations Code Conflicts of Interest rules. The Conflict of Interest Code is attached within Appendix 10. Should State law be amended to require charter schools to comply with Government Code 1090, Pathways will adhere to that requirement.

The Board may execute any powers delegated by law to it and discharges any duty imposed by law upon it and may delegate to an employee of the Charter School any of those duties with the exception of budget approval or revision, approval of the fiscal audit and performance report, and the adoption of Board policies. The Board however, retains ultimate responsibility over the performance of those powers or duties so delegated. Such delegation will:

- Be in writing;
- Specify the entity designated;
- Describe in specific terms the authority of the Board of Directors being delegated, any conditions on the delegated authority or its exercise and the beginning and ending dates of the delegation; and
- Require an affirmative vote of a majority of Board Directors.

The Charter School’s Board of Directors will attend an annual in-service for the purposes of training individual board Directors on their responsibilities with topics to include at minimum Conflicts of Interest, and the Brown Act.

The Executive Director

The Executive Director is the leader of Pathways. The Executive Director ensures that the curriculum is implemented in order to maximize student-learning experiences. The Executive Director reports directly to the Board of Directors, and s/he is responsible for the orderly operation of the Charter School and the supervision of all employees in the Charter School.

The Executive Director is assigned to perform tasks directed from the Board of Directors and is required to undertake some or all of the tasks detailed below. These tasks may include but are not limited to the following:

- **Key Responsibilities of Executive Director**

Program Development and Delivery

- Ensure integrity and strength of overall academic program.
- Revise and direct the work of updating the School-Wide Action Plan at appropriate intervals.
- Ensure successful fulfillment of School goals and obligations.
- Accept leadership responsibility and accountability for implementing the vision, goals, and policies of the school.

Resource and Personnel Management

- Lead senior administrators and program managers who oversee the day-to-day programs and operations.
- Participate in recruitment, interview, selection and evaluation process for directly supervised staff and other key administrative/management level positions.
- Support site managers in implementation of facility maintenance plans in accordance with school goals, policy and state and federal requirements.
- Recruit and retain administrative/management personnel who are skilled in innovative program design, development, and implementation.
- Participate in and support staff development measures collaboratively with administrative personnel.

Community Building and Community Relations

- Create and maintain communication protocol and avenues with the District Superintendent and his/her Board of Directors.
- Develop and foster ties to charter and independent study advocacy organizations.
- Create and maintain positive working relationships with all stakeholders of the Pathways community

Financial Management and Legal Compliance

- Stay abreast of emerging legal and fiscal changes in charter and independent study regulations.
- Direct creation of a sound financial plan and annual budget for the School that ensures the ongoing success, compliance, and viability of the school, including gaining the full support of and approval by the Board of Directors.
- Work with chief financial officer to provide regular reports on projected income and expense for Board review.
- Support the chief financial officer in ensuring that systems meet all current standards and regulations pertinent to the management of School finances and independent study audit requirements.
- Regularly review and revise all existing policies, handbooks, and administrative regulations to ensure consistency and compliance with charter obligations and current state and federal expectations and regulations.

Non-Profit Board of Directors Communication and Relations

- Assist with recruitment and orientation of new Board Directors
- Prepare executive reports to Board of Directors and Executive Committee and attend various Committee meetings as requested.
- Promote the success of all students and support the goals of the Board of Directors to keep the School focused on learning and achievement according to PCS mission and vision.
- Work with the Board of Directors to assure collective responsibility for building a unity of purpose, communicating a common vision, and creating a positive organizational culture.
- Provide direction and leadership based on the direction and support of the Board of Directors.
- Communicate openly with trust and integrity, including providing all members of the Board with access to information.

The above duties, with the exception of personnel matters, may be delegated or contracted as approved by the Board of Directors to a business administrator of the Charter School, other appropriate employee, or third-party provider.

Parent Involvement

Parents have primary responsibility for overseeing the day-to-day work of their student(s) enrolled in the program. Parents of elementary students meet with a Pathways teacher a minimum of one hour every 20 days and parents of high school students meet with a Pathways teacher one hour each week. At these meetings parents are apprised of their student's progress and the parent and teacher work together to determine what work will be completed during the upcoming earning period.

Parents are kept informed of Charter School operations through regional electronic bulletins and occasional school-wide newsletters. Parents are able to reply to bulletins. Each Pathways region also holds an annual Back-To-School event that encourages parents to attend and participate.

There are ad-hoc opportunities for parents to become involved in the operation of the Charter School. During the WASC accreditation process a parent committee is formed to gather input about school operations. When applicable, parents are also encouraged to join in committees that oversee the expenditures of grant funds that require parent input. When these committees need parent involvement a notice is posted in each regional bulletin and all Pathways teachers are told to inform their families of the need.

Parents also play a role in the evaluation of the school programs and student support services. Each spring parents are invited to regional Advisory Council meetings to help give input to the creation of the annual LCAP goals, actions and services. We also send an electronic survey for parents to complete to give input on LCAP goals as well other aspects of the program such as regional learning center classes and curriculum programs.

Parents are encouraged to attend monthly Board of Directors meetings and are given opportunities to speak at these meetings. Parents are also encouraged to become Directors that serve on the Board.

ELEMENT 5: EMPLOYEE QUALIFICATIONS

Governing Law: The qualifications to be met by individuals to be employed by the charter school.

Education Code Section 47605(b)(5)(E).

Pathways does not discriminate against any employee on the basis of the actual or perceived characteristics of race, religion, creed, color, gender, gender identity, gender expression, nationality, national origin, ancestry, ethnic group identification, genetic information, age, medical condition, marital status, sexual orientation, sex and pregnancy, physical or mental disability, childbirth or related medical conditions, military and veteran status, denial of family and medical care leave, or on the basis of a person’s association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by federal, state, local law, ordinance or regulation. Pathways will be nonsectarian in its programs, admission policies, employment practices, and all other operations.

All Employees-Background Check/Tuberculosis Risk Assessment

Pathways adheres to Education Code Section 44237 regarding fingerprinting of employees. Prior to the first day of work for every employee, Pathways processes background checks through LiveScan, administered by the Department of Justice.

Pathways adheres to policy pertaining to the safety and health of all employees and students. All employees must furnish or be able to provide:

- Medical clearance including tuberculosis (TB) risk assessment or examination in accordance with Education Code Section 49406
- Fingerprinting and the service fee to the Department of Justice for criminal record check.
- Applicants are required to provide a full disclosure statement regarding prior criminal record.
- No employee may begin work prior to Department of Justice check and clearance in accordance with Education Code Section 44237.
- Documents establishing work status, and current copies of all teacher credentials.

The documents listed above will be kept on-site and will be ready for inspection any time pursuant to a request from the District.

Teachers

Teachers meet all applicable requirements for credentialing as stipulated by Education Code Section 47605(1). Pathways will conform to California legal requirements, which states that all charter school teachers shall hold a California Commission on Teacher Credentialing certificate, permit or other documentation equivalent to what a teacher in other public schools would be required to hold. According to UC requirements, all core, college prep courses offered as an independent study class will have a teacher available who is credentialed in the subject matter of the individual course to assist students. This support teacher is available by phone and email, and also has weekly on-line office hours for students to meet and receive instructional support. All Vendor Course Instructors (“VCI”) who are teaching core, college prep classes will be credentialed in the subject they are teaching.

Appropriate records of credentials held by Pathways teachers and supporting documentation is monitored and maintained by the Executive Director and Human Resources Coordinator on site. Credentials are monitored annually in compliance with state and federal law. The Human Resources Coordinator works with the Credentials Technician at the Sonoma County Office of Education to ensure that all teachers meet State and Federal requirements. Teachers will be notified within twelve months of the expiration of their credential by the Human Resources Coordinator that their credential needs to be renewed and the process for renewal, including any changing requirements for credential renewal.

The Executive Director notifies the HUSD of any changes in personnel through monthly reports that the Executive Director provides to the District Board for the monthly HUSD Board meetings.

A description of teachers with credentials key qualifications is listed in Appendix 11.

Executive Director

The Executive Director is a leader of the highest integrity who has demonstrated in his or her career, and in related community activities, a commitment to equitable and student-centered educational opportunities.

The Executive Director is an inspiring leader with practiced communication and team building skills. The Executive Director is an excellent listener and easily connects with students, parents, staff, and the larger school communities. The Executive Director is a person with humor, curiosity, and energy who can motivate staff and students to achieve their personal best. The Executive Director has a high degree of academic and social acumen and is an experienced and strategic collaborator, one versed in developing, evaluating, and delivering innovative, meaningful curriculum and instruction.

Required Education and Experience:

- Bachelor’s degree required: Master’s degree preferred.
- Administrative Credential required.
- Minimum of 3 years prior experience in educational administration preferred

- Prior teaching experience required.
- Prior experience teaching in or managing independent study and/or charter school programs is desirable.

General Staff Qualifications

Descriptions of key qualifications for all key staff positions are listed in Appendix 12.

ELEMENT 6: HEALTH AND SAFETY PROCEDURES

Governing Law: 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.

Education Code Section 47605(b)(5)(F).

Pathways has adopted and implemented a comprehensive set of health, safety, and risk management policies and procedures. These policies were developed in consultation with the Charter School's insurance carriers and are summarized below:

Procedures for Background Checks

Employees and contractors of the Charter School are required to submit to a criminal background check and furnish a criminal record summary as required by Education Code Sections 44237 and 45125.1. New employees not possessing a valid California Teaching Credential must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The Charter School does not hire any person, in either a certificated or classified position, who has been convicted of a violent or serious felony except as otherwise provided by law, pursuant to Education Code Sections 44830.1 and 45122.1. The Executive Director of Pathways monitors compliance with this policy and reports to the Pathway's Board of Directors on a regular basis. The Board President monitors the fingerprinting and background clearance of the Executive Director. Volunteers who volunteer outside of the direct supervision of a credentialed employee are fingerprinted and receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

Role of Staff as Mandated Child Abuse Reporters

All employees will be mandated child abuse reporters and will follow all applicable reporting laws, the same policies and procedures used by the District. Pathways provides mandated reporter training to all employees annually in accordance with Education Code Section 44691.

Tuberculosis Risk Assessment and Examination

Employees, and volunteers who have frequent or prolonged contact with students, are assessed and examined (if necessary) for tuberculosis prior to commencing employment and working with students, and for employees at least once each four years thereafter, as required by Education Code Section 49406.

Immunizations

All students enrolled and staff are required to provide records documenting immunizations as is required at public schools pursuant to Health and Safety Code Sections 120325-120375, and Title 17, California Code of Regulations Sections 6000-6075. Pathways complies with the regulations of SB277. All rising 7th grade students must be immunized with a pertussis (whooping cough) vaccine booster.

Medication in School

The Charter School adheres to Education Code Section 49423 regarding administration of medication in school. The Charter School adheres to Education Code Section 49414 regarding epinephrine auto-injectors and training for staff members.

Vision, Hearing/Scoliosis

Students are screened for vision, hearing and scoliosis. The Charter School adheres to Education Code Section 49450, *et seq.*, as applicable to the grade levels served by the Charter School. A qualified nurse screens students. A schedule of screenings is developed annually and communicated by bulletin and teacher contact to parents. Due to the non-classroom based nature of the program, screening locations are available at a selected site in each region. There is a primary screening day and a secondary screening day to accommodate families who cannot make the primary date.

Diabetes

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

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

Suicide Prevention Policy

The Charter School maintains a policy on student suicide prevention in accordance with Education Code Section 215.

Feminine Hygiene Products

The Charter School stocks at least 50% of its restrooms with feminine hygiene products, and does not charge students for these products, pursuant to Education Code Section 35292.6.

Emergency Preparedness

Due to the non-classroom based nature of the program, students are instructed in their homes. The Charter School takes no responsibility for the safety of students while being instructed in their homes. Should a student take an enrichment class in a learning center provided by the school, the Charter School learning center adheres to an Emergency Preparedness Handbook drafted specifically to the needs of the school facilities in conjunction with law enforcement and the Fire Marshal. This handbook includes, but is not limited to the following responses: fire, flood, earthquake, terrorist threats, and hostage situations. The center manager is the Emergency Preparedness Coordinator and keeps an updated copy of the Emergency Preparedness Handbook available in the center office for review upon request.

Staff receives training in emergency response, including appropriate “first responder” training or its equivalent.

Blood Borne Pathogens

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

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

Drug Free/Alcohol Free/Smoke Free Environment

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

Facility Safety

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

Comprehensive Anti-Discrimination and Harassment Policies and Procedures

The Charter School is committed to providing a learning environment that is free from sexual harassment, as well as any harassment based upon the actual or perceived characteristics of race, religion, creed, color, gender, gender identity, gender expression, nationality, national origin, ancestry, ethnic group identification, genetic information, age, medical condition, marital status, sexual orientation, sex and pregnancy, physical or mental disability, childbirth or related medical conditions, military and veteran status, denial of family and medical care leave, or on the basis of a person’s association with a person or group with one or more of these actual or perceived

characteristics, or any other basis protected by federal, state, local law, ordinance or regulation . The Charter School has developed a comprehensive policy to prevent and immediately remediate any concerns about discrimination or harassment at the Charter School (including employee to employee, employee to student, and student to employee misconduct). Misconduct of this nature is very serious and will be addressed in accordance with the Charter School's anti-discrimination and harassment policies.

These policies and procedures have been incorporated as appropriate into the Charter School's student and staff handbooks, which are reviewed on an ongoing basis in the Charter School's staff development efforts and Board policies.

ELEMENT 7: RACIAL AND ETHNIC BALANCE

Governing Law: 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 district to which the charter petition is submitted.

Education Code Section 47605(b)(5)(G).

Pathways utilizes a student recruitment strategy that includes, but is not necessarily limited to, the following elements or strategies to ensure a racial and ethnic balance among students that is reflective of the general population residing in the district:

- An enrollment process that is scheduled and adopted to include a timeline that allows for a broad-based recruiting and application process.
- The development of promotional and informational material that appeals to all of the various racial and ethnic groups represented in the District
- The appropriate development of promotional and informational materials in languages other than English to appeal to limited English proficient populations
- The distribution of promotional and informational materials to a broad variety of community groups and agencies that serve the various racial, ethnic, and interest groups represented in the District
- Outreach meetings in several areas of the District to reach prospective students and parents

ELEMENT 8: ADMISSION POLICIES AND PROCEDURES

Governing Law: Admission policies and procedures, consistent with [Education Code Section 47605] subdivision (d).

Education Code Section 47605(b)(5)(H).

Subject to the limitations of Education Code Section 51747.3, Pathways will admit all students who wish to attend, subject to capacity as outlined in Education Code 47605(d)(2).

Pathways will be non-sectarian in its programs, admissions policies, employment practices and all other operations, shall not charge tuition, and shall not discriminate on the basis of any characteristic described in Education Code Section 220.

The Charter School shall admit all pupils who wish to attend the Charter School. No test or assessment shall be administered to students prior to acceptance and enrollment into the Charter School. The Charter School will comply with all laws establishing minimum and maximum age for public school attendance in charter schools. In accordance with Education Code Sections 49011 and 47605(d)(2)(B)(iv), admission preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

The Charter School has established an annual recruiting and admissions cycle, which includes reasonable time for all of the following: (1) outreach and marketing, (2) orientation sessions for parents and students, (3) an admissions application period, (4) an admissions lottery, if necessary, and (5) enrollment. The Charter School may fill vacancies or openings that become available after this process using either a waiting list if applicable. Pathways has an open-enrollment policy. Pathways will offer enrollment throughout the school year.

The Charter School will actively recruit a diverse student population interested in an independent study educational alternative. The Charter School endeavors to educate parents and students about the program offered by the Charter School in the hopes that students admitted to the Charter School will understand the Charter School's mission and will be committed to the Charter School's instructional and operational philosophy.

The nature of Independent Study, which allows for a great deal of flexibility in time management and instructional options without regular teacher supervision, requires that students who enroll in Pathways are capable of working independently, and have adequate home supervision. To ensure that students and parents clearly understand these requirements, all prospective families are invited to an orientation session, either in-person or virtual meeting, which seeks to inform parents about the program and to ensure that a parent makes the best possible choice for his or her child.

As per Board Policy in Independent Study and the policy on Missing Assignments, should it be determined that a student is not progressing successfully in the program, a recommendation will be made by the Principal to the Executive Director to disenroll the student and will provide evidence that the student is not completing necessary work, passing required classes, attending required meetings, or exhibiting other behaviors that indicate lack of success, in accordance with

Education Code Section 47605(b)(5)(J)(iii). Upon review of the evidence, the Executive Director has the authority to disenroll the student and return the student back to the prior district of residence. The student and family are offered the right to a due process hearing in accordance with regulations.

In the event that the number of students seeking admission to any grade or class exceeds capacity, admission, except for existing pupils of the Charter School shall be determined by public random drawing. Existing students of the Charter School shall be exempt from the public random drawing. Residents of the District shall be given preference in the drawing, followed by siblings of students admitted to or attending the Charter School. Students placed on a waiting list after the lottery shall be informed of their status and be updated periodically as to the anticipated date of the public drawing. When capacity makes it possible to increase enrollment, all students in the lottery shall be made aware of their child's numbered placement on the wait list after the lottery is drawn.

The Charter School and the District agree to adhere to the requirements related to admission preferences as set forth in Education Code Section 47605(d)(2)(B)(i)-(iv).

The Board of Directors will take all necessary efforts to ensure lottery procedures are fairly executed. Lottery spaces are pulled in order of grade bands (k-8 and 9-12) as teacher's caseload are structured based on these grade bands. The lottery is conducted by the designated lottery official (appointed by the Executive Director). Separate lotteries shall be conducted for each grade band in which there are fewer vacancies than pupils interested in attending. All lotteries shall take place on the same day in a single location. There is no weighted priority assigned to the preference categories; rather, within each grade band, students will be drawn from pools beginning with all applicants who qualify for the first preference category, and shall continue with that preference category until all vacancies within that grade band have been filled. If there are more students in a preference category than there are spaces available, a random drawing will be held from within that preference category until all available spaces are filled. If all students from the preference category have been selected and there are remaining spaces available in that grade level, students from the second preference category will be drawn in the lottery, and the drawing shall continue until all spaces are filled and preference categories are exhausted in the order provided above.

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

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

As needed, the Charter School will conduct the lottery in the spring for enrollment in fall of that year or whenever enrollment demand exceeds capacity.

ELEMENT 9: ANNUAL INDEPENDENT FINANCIAL AUDIT

Governing Law: 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.

Education Code Section 47605(b)(5)(I).

Audit

An annual independent fiscal audit of the books and records of the Charter School will be conducted as required under the Charter Schools Act, Education Code Section 47605(b)(5)(I) and 47605(m). The books and records of the Charter School are kept in accordance with generally accepted accounting principles, and as required by applicable law and the audit will employ generally accepted accounting procedures. The audit shall be conducted in accordance with applicable provisions within the California Code of Regulations governing audits of charter schools as published in the State Controller's Office K-12 Audit Guide. The audit will specifically address and consider those regulations pertinent to Independent Study requirements as specified in the Education Code.

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

The annual audit is completed and forwarded to the District, the County Superintendent of Schools, the State Controller, and to the CDE by the 15th of December of each year. The Executive Director, along with the audit committee, if any, reviews any audit exceptions or deficiencies and report to the Charter School's Board of Directors with recommendations on how to resolve them. The Board submits a report to the District describing how the exceptions and deficiencies have been or will be resolved to the satisfactions of the District along with an anticipated timeline for the same. Audit appeals or requests for summary review is submitted to the Education Audit Appeals Panel ("EAAP") in accordance with applicable law.

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

ELEMENT 10: SUSPENSION AND EXPULSION POLICY AND PROCEDURE

Governing Law: 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 school days 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).

Education Code Section 47605(b)(5)(J).

While Pathways supports individuality and growth, it has rules to function effectively. Pathways provides students, parents, school personnel, and the public with a clear description of the minimum standards of behavior for all students.

Pathways Charter School has adopted and implemented a comprehensive student/parent handbook. All families shall receive a copy of this handbook upon enrollment and annually thereafter. Staff shall enforce disciplinary rules and procedures fairly and consistently among all students. Should behaviors arise that are in conflict with established standards of conduct, the School has established a Student Improvement Referral Policy to address such matters (Appendix 8 and 13).

Students who enroll with an existing expulsion order from their previous school will be held to the terms of their expulsion order while at Pathways. By signing the Acknowledgement of Responsibilities and Memorandum of Understanding, they agree to abide by these terms and any subsequent related disciplinary action.

Students who choose to attend on-site optional classes at established Pathways Learning Centers sign a contract outlining expected behaviors and expectations. Failure to abide by the terms of the contract result in a progressive discipline process that could ultimately result in the removal of the student from the class. Students who attend off-site vendor classes are subject to the rules established by the vendor and the suspension policy does not apply in this circumstance.

Given the non-classroom based nature of the program, traditional procedures of suspension do not generally apply. Since students are taught at home, they cannot be suspended from their home. Additionally, the parents act as the day-to-day support for the student and generally impose their own discipline for infractions of behavior. (Please see Appendix 16 for Policy on Missed Assignments regarding exit from independent study).

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

When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy serves as the Charter School's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. Charter School staff enforces disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures is printed and distributed as part of the Student Handbook and clearly describes discipline expectations.

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

The Charter School administration ensures that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice states that this Policy and Procedures are available on request at the Executive Director's office.

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

A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEA") or who is qualified for services under Section 504 of the

Rehabilitation Act of 1973 (“Section 504”) is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. The Charter School follows all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

No student is involuntarily removed by the Charter School for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five schooldays before the effective date of the action. The written notice is in the native language of the student or the student’s parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student’s educational rights holder, and shall inform him or her of the right to initiate the procedures specified below for suspensions, before the effective date of the action. If the student’s parent, guardian, or educational rights holder initiates the procedures specified below for suspensions, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, “involuntarily removed” includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions or expulsions pursuant to the suspension and expulsion procedures described below.

A. Grounds for Suspension and Expulsion of Students

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

- a) while on school grounds;
- b) while going to or coming from school;
- c) during the lunch period, whether on or off the school campus; or
- d) during, going to, or coming from a school-sponsored activity.

B. Enumerated Offenses

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

1. Caused, attempted to cause, or threatened to cause physical injury to another person.
2. Willfully used force of violence upon the person of another, except self-defense.

3. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.
4. Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
5. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
6. Committed or attempted to commit robbery or extortion.
7. Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
8. Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
9. Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
10. Committed an obscene act or engaged in habitual profanity or vulgarity.
11. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5.
12. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. This section shall apply to pupils in any of grades 4 to 12, inclusive.
13. Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
14. Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
15. Committed or attempted to commit a sexual assault as defined in Penal code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4.

16. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
17. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
18. Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
19. Made terrorist threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.
20. Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
21. Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
22. Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an

intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

23. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.

- 1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

- 2) “Electronic Act” means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - i. A message, text, sound, video, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a

profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

iii. An act of cyber sexual bullying.

(a) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

(b) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

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

24. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).

25. Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee’s concurrence.

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

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

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

a) Caused, attempted to cause, or threatened to cause physical injury to another person.

- b) Willfully used force or violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
- g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
- l) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- m) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- n) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.

- o) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- p) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
- q) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.
- r) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- s) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

u) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.

1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

- i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.
- ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
- iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
- iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

2) “Electronic Act” means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

- i. A message, text, sound, video, or image.
- ii. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
- iii. An act of cyber sexual bullying.

- (a) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - (b) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- 3. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
 - v) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(a)-(b).
 - w) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee’s concurrence.
- 4. Non-Discretionary Expellable Offenses: Students must be recommended for expulsion for any of the following acts when it is determined pursuant to the procedures below that the pupil:
 - a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee’s concurrence.

If it is determined by the Administrative Panel and/or Board of Directors that a student has brought a firearm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994. In such instances, the pupil shall be provided due process rights of notice and a hearing as required in this policy.

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

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

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

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

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense, in accordance with Education Code Section 47605(b)(5)(J)(i).

This conference shall be held within (2) two school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization.

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

2. Notice to Parents/Guardians

At the time of suspension, the Executive Director or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the

date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If Charter School officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

3. Suspension Time Limits/Recommendation for Placement/Expulsion

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

Upon a recommendation of expulsion by the Executive Director or Executive Director's designee, the pupil and the pupil's parent/guardian or representative are invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination will be made by the Executive Director or designee upon either of the following determinations: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

D. Authority to Expel

As required by Education Code Section 47605(b)(5)(J)(ii), students recommended for expulsion are entitled to a hearing adjudicated by a neutral officer to determine whether the student should be expelled. The procedures herein provide for such a hearing and the notice of said hearing, as required by law.

A student may be expelled either by the neutral and impartial Charter School Board of Directors following a hearing before it or by the Charter School Board of Directors upon the recommendation of a neutral and impartial Administrative Panel to be assigned by the Board of Directors as needed. The Administrative Panel consists of at least three members who are certificated and neither a teacher of the pupil nor a member of the Charter School Board of Directors. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Board of Directors shall make the final determination.

E. Expulsion Procedures

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

In the event an Administrative Panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session

(complying with all pupil confidentiality rules under FERPA) unless the pupil makes a written request for a public hearing in open session three (3) days prior to the hearing.

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

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

F. Special procedures for Expulsion Hearings Involving Sexual Assault or Battery Offences

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the entity 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 entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the entity presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The entity presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are not alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the entity conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstances can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel,

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

G. Record of Hearing

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

H. Presentation of Evidence

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

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

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

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

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

I. Written Notice to Expel

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

1. Notice of the specific offense committed by the student; and

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

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

1. The student's name; and
2. The specific expellable offense committed by the student

J. Disciplinary Records

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

K. No Right to Appeal

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

L. Expelled Pupils/Alternative Education

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

M. Rehabilitation Plans

Students who are expelled from the Charter School shall be given a rehabilitation plan upon expulsion as developed by the Board of Directors at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. The rehabilitation plan should include a date not later than one (1) year from the date of expulsion when the pupil may reapply to the Charter School for readmission.

N. Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school, school district or charter school is the sole discretion of the Board of Directors following a meeting with the Executive Director or designee and the pupil and parent/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 Executive Director or designee shall make a recommendation to the Board of Directors following the meeting regarding his or her determination. The Board then makes a final decision regarding readmission during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the Brown Act. The pupil's readmission is also contingent upon the Charter School's capacity at the time the student seeks readmission.

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

i. Notification of SELPA

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

ii. Services During Suspension

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

iii. Procedural Safeguards/Manifestation Determination

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

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

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

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

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

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

iv. Due Process Appeals

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or Pathways Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or Pathways Charter School, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer in accordance with state and federal law, including 20 U.S.C. Section 1415(k), until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, unless the parent and the Charter School agree otherwise.

In accordance with 20 U.S.C. Section 1415(k)(3), if a parent/guardian disagrees with any decision regarding placement, or the manifestation determination, or if the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, the parent/guardian or Charter School may request a hearing.

In such an appeal, a hearing officer may: (1) return a child with a disability to the placement from which the child was removed; or (2) order a change in placement of a child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of such child is substantially likely to result in injury to the child or to others.

v. Special Circumstances

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

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

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

vi. Interim Alternative Educational Setting

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

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

A student who has not been identified as an individual with disabilities pursuant to IDEA and who has violated the Charter School's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation

only if Pathways Charter School had knowledge that the student was disabled before the behavior occurred.

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

- a) The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to Pathways Charter School supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.
- b) The parent has requested an evaluation of the child.
- c) The child's teacher, or other Charter School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other Charter School supervisory personnel.

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

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

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

ELEMENT 11: RETIREMENT PROGRAMS

Governing Law: 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.

Education Code Section 47605(b)(5)(K).

Retirement System

Eligible staff members at Pathways participate in the State Teachers' Retirement System ("STRS") or the Public Employees' Retirement System ("PERS") and federal social security. The Charter School coordinates such participation, as appropriate, with the social security system and other reciprocal systems. The Board believes that participation in these retirement systems enables the Charter School to attract and retain a higher quality staff.

All withholdings from employees at the Charter School will be forwarded to the STRS or PERS fund as required. The Charter School submits all retirement data and complies with all policies and procedures for payroll reporting. Employees accumulate service credit years in the same manner as all other members of STRS or PERS. The Executive Director shall be responsible for ensuring that appropriate arrangements for coverage are made.

Mandatory contributions such as workers compensation, unemployment insurance, Medicare and social security (for non-STRS employees) are paid by the employer. Health, dental, vision and related benefits as part of the total compensation package for each employee are determined as part of the individual employment contract.

ELEMENT 12: PUBLIC SCHOOL ATTENDANCE ALTERNATIVES

Governing Law: The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.

Education Code Section 47605(b)(5)(L).

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

ELEMENT 13: EMPLOYEE RETURN RIGHTS

Governing Law: 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.

Education Code Section 47605(b)(5)(M).

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

Sick or vacation leave or years of service credit at the District or any other school district will not be transferred to the Charter School. Employment by the Charter School provides no rights of employment at any other entity, including any rights in the case of closure of the Charter School.

ELEMENT 14: DISPUTE RESOLUTION

Governing Law: The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to the provisions of the charter.

Education Code Section 47605(b)(5)(N).

Dispute resolution language to resolve disputes between the District and Pathways Charter School relating to provisions of the charter will be mutually agreed upon by the District and School in accordance with an MOU.

Regarding internal disputes and complaints, it is the policy of the Pathways Charter School that parents and staff members have a direct means by which complaints can be discussed and resolved. With regard to parent complaints about teachers, it is the board’s intent that parents attempt direct resolution with the teacher, prior to asking for a new teacher. This policy and procedure applies to complaints regarding a staff member or to complaints regarding the organization and/or operation of the charter school and is intended to provide greater examination and improvement of school operations and procedures. Within the limits of this policy, the Board of Directors holds the highest and final decision-making authority.

A complaint form can be obtained at the school office, or downloaded from the school web site.

INTERNAL COMPLAINTS

(Complaints by Employees against Employees)

This section of the policy is for use when a Charter School employee raises a complaint or concern about a co-worker.

If reasonably possible, internal complaints should be resolved at the lowest possible level, including attempts to discuss/resolve concerns with the immediate supervisor. However, in the event an informal resolution may not be achieved or is not appropriate, the following steps will be followed by the Executive Director or designee:

1. The complainant will bring the matter to the attention of the Executive Director as soon as possible after attempts to resolve the complaint with the immediate supervisor have failed or if not appropriate; and
2. The complainant will reduce his or her complaint to writing, indicating all known and relevant facts. The Executive Director or designee will then investigate the facts and provide a solution or explanation;
3. If the complaint is about the Executive Director, the complainant may file his or her complaint in a signed writing to the Chair of the Board of Directors, who will then confer with the Board of Directors and may conduct a fact-finding or authorize a third party investigator on behalf of the Board of Directors. The Chair or investigator will report his or her findings to the Board of Directors for review and action, if necessary.

This policy cannot guarantee that every problem will be resolved to the employee's satisfaction. However, the Charter School values each employee's ability to express concerns and the need for resolution without fear of adverse consequence to employment.

POLICY FOR COMPLAINTS GENERALLY

(General Complaints and Complaints by Third Parties against Employees)

This section of the policy is for use when either a complaint does not fall under other complaint procedures or a third party (non-employee) raises a complaint or concern about the Charter School generally, or a Charter School employee.

If complaints cannot be resolved informally, complainants may file a written complaint with the office of the Executive Director or President of the Board of Directors (only if the complaint concerns the Executive Director) as soon as possible after the events that give rise to the complainant's concerns. The written complaint should set forth in detail the factual basis for the complaint.

In processing the complaint, the Executive Director (or designee) shall abide by the following process:

1. The Executive Director or designee shall use his or her best efforts to ascertain the facts relating to the complaint. Where applicable, the Executive Director or designee shall talk with the parties identified in the complaint or persons with knowledge of the particulars of the complaint to ascertain said facts.
2. In the event that the Executive Director (or designee) finds that a complaint is valid, the Executive Director (or designee) may take appropriate action to resolve the problem. Where the complaint is against an employee of the Charter School, the Executive Director may take disciplinary action against the employee. As appropriate, the Executive Director (or designee) may also simply counsel/reprimand employees as to their conduct without initiating formal disciplinary measures.
3. The Executive Director's (or designee's) decision relating to the complaint shall be final unless it is appealed to the Board of Directors of the Charter School. The decision of the Board of Directors shall be final.

GENERAL REQUIREMENTS

- 1. Confidentiality: All complainants will be notified that information obtained from the complainants and thereafter gathered will be maintained in a manner as confidential as possible, but in some circumstances, absolute confidentiality cannot be assured.**

2. Non-Retaliation: All complainants will be advised that they will be protected against retaliation as a result of the filing of any complaints or participation in any complaint process.

3. Resolution: The Board of Directors (if a complaint is about the Executive Director) or the Executive Director or designee will investigate complaints appropriately under the circumstances and pursuant to the applicable procedures, and if necessary, take appropriate remedial measures to ensure effective resolution of any complaint.

ELEMENT 15: CLOSURE PROCEDURES

Governing Law: 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.

Education Code Section 47605(b)(5)(O).

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

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

Pathways will ensure that the closure notification to the parents and students provides information to assist parents and students in locating suitable alternative programs. This notice will be provided promptly following the Board's decision to close the School, or upon revocation of the charter. Pathways will also develop a list of pupils in each grade level and the classes they have completed, together with information on the pupils' districts of residence, which they will provide to the entity responsible for closure-related activities.

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

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

As soon as reasonably practical, the Charter School will prepare final financial records. The Charter School will also have an independent audit completed within six months after closure.

The Charter School will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by the Charter School and will be provided to the District promptly upon its completion. The final audit will include an accounting of all financial assets, including cash and accounts receivable and an inventory of property, equipment, and other items of material value, an accounting of the liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation, and an assessment of the disposition of any restricted funds received by or due to the Charter School.

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

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

On closure of the Charter School, all assets of the Charter School, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending the Charter School, remain the sole property of the nonprofit public benefit corporation. Upon the dissolution of the nonprofit public benefit corporation, all net assets shall be distributed to another public school that satisfies the requirements of paragraphs (a) through (e) of section III.A of Notice 2015-07 issued by the Internal Revenue Service and the Treasury Department entitled "Relief for Certain Participants in § 414(d) Plans" or any final regulations implementing 26 U.S.C. § 414(d) or to a State, political subdivision of a State, or agency or instrumentality thereof. Any assets acquired from the District or District property will be promptly returned upon Charter School closure to the District. The distribution shall include return of any grant funds and restricted categorical funds to their source in accordance with the terms of the grant or state and federal law, as appropriate, which may include submission of final expenditure reports for entitlement grants and the filing of any required Final Expenditure Reports and Final Performance Reports, as well as the return of any donated materials and property in accordance with any conditions established when the donation of such materials or property was accepted.

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

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

As specified by the Budget in Appendix 14, the School will utilize the reserve fund to undertake any expenses associated with the closure procedures identified above.

ADDITIONAL REQUIREMENTS: IMPACT ON AUTHORIZER

Potential Civil Liability Effects

Governing Law: Potential civil liability effects, if any, upon the charter school and upon the school district.

Education Code Section 47605(g).

Pathways is operated by a California non-profit public benefit corporation. This corporation is organized and operated exclusively for educational and charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code and California Revenue and Taxation Code Section 23701(d). Pursuant to Education Code Section 47604(c), an authority that grants a charter to a charter school operated by or as a non-profit public benefit corporation shall not be liable for the debts or obligations of the charter school or for claims arising from the performance of acts, errors or omissions by the Charter School if the authority has complied with all oversight responsibilities required by law.

The Charter School works diligently to assist the District in meeting any and all oversight obligations under the law, including monthly meetings, reporting, or other District-requested protocol to ensure the District shall not be liable for the operation of the Charter School. Further, the Charter School and the District entered a memorandum of understanding, wherein the Charter School indemnifies the District for the actions of the Charter School under this charter.

The corporate bylaws of the Charter School provide for indemnification of the Charter School's Board, officers, agents, and employees, and the Charter School has purchased general liability insurance to secure against financial risks. Insurance amounts are determined by recommendation of the insurance company, or as set forth in the MOU for schools of similar size, location, and student population. The Charter School's Board of Directors has instituted appropriate risk management practices as discussed herein, including screening of employees, establishing codes of conduct for students, and dispute resolution.

Information Exchange and Responding to Inquiries

In accordance with Education Code Section 47604.3, Pathways shall promptly respond to all reasonable inquiries from the District, including but not limited to, inquiries regarding financial records, and shall consult with the District regarding any inquiries. In addition, all legally required financial reports will be submitted to the District, in the format required by the District within timelines specified by the District each year.

Oversight Costs

The District may charge the oversight fee allowable under Education Code Section 47613 and as set forth in the memorandum of understanding between the District and the Charter School.

Transportation

Pathways does not provide transportation for students from home to school or school to home, except for special education students whose individualized education program requires such

transportation and in instances of compliance with the Americans with Disabilities Act. Transportation for extracurricular activities, such as field trips, will be contracted with a licensed contractor.

Financial Plan

Governing Law: 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. Education Code Section 47605(g).

Attached, as Appendix 14, please find the budget for 2018-19 and three years of financial projections and cash flow. The Charter School shall ensure that all reports are submitted in accordance with Education Code Section 47604.33.

Administrative Services

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

The Charter School will provide or procure its own administrative services including, but not limited to, financial management, accounts payable/receivable, payroll, human resources, and instructional program development either through its own staff or through an appropriately qualified third-party contractor.

At any time the Charter School may discuss the possibility of purchasing administrative services from the District. If the District is interested, the specific terms and cost for these services will be the subject of a memorandum of understanding between the Charter School and the District and subject to District availability and willingness to provide such services.

Facilities

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

Main Office

150 Professional Center Drive, Suite C
Rohnert Park, CA 94928

Sonoma County Learning Center

150 Professional Center Drive, Suite D
Rohnert Park, CA 94928

Solano County Learning Center
301 Georgia Street, Suite 260
Vallejo, CA 94590

Marin County Learning Center
4340 Redwood Hwy, Suite E356
San Rafael, CA 94915