



**Submitted to Lucerne Valley Unified  
School District**

**Submitted: November 14, 2019**

Prepared in compliance with the terms, conditions, and requirements of **EC 47605** and related  
statutes and as amended - **The Charter School Act**

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## AFFIRMATIONS/ASSURANCES

This form is intended to be signed by a duly authorized representative of the applicant and submitted with the full application. As the authorized representative of the applicant, I hereby certify that the information submitted in this application for renewal of the **Sky Mountain Charter School to Lucerne Valley Unified School District**, is true to the best of my knowledge and belief; I also certify that this application does not constitute the conversion of a private school to the status of a public charter school; and further I understand that if awarded the renewal, **Sky Mountain Charter School**:

- Shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code §60605, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. *[Ref. California Education Code §47605(c)(1)]*
- Shall be deemed the exclusive public school employer of the employees of the Sky Mountain Charter School for the purposes of the Educational Employment Act (Chapter 10.7 (commencing with §3540) of Division 4 of Title 4 of Title 1 of the Government Code.<sup>2</sup> *[Ref. California Education Code §47605(b)(5)(O)]*
- Shall be nonsectarian in its programs, admissions policies, employment practices, and all other operations. *[Ref. California Education Code §47605(d)(1)]*
- Shall not charge tuition. *[Ref. California Education Code §47605(d)(1)]*
- Shall admit all eligible students who wish to attend the Sky Mountain Charter School, and who submit a timely application, unless the charter school receives a greater number of applications than there are spaces for students, in which case each applicant will be given equal chance of admission through a random lottery process. *[Ref. California Education Code §47605(d)(2)(B)]*
- Shall not discriminate on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). *[Ref. California Education Code §47605(d)(1)]*
- Shall adhere to all provisions of federal law relating to students with disabilities, including but not limited to, Section 504 of the Rehabilitation Act of 1974, Title II of the Americans with Disabilities Act of 1990, and the Individuals with Disabilities in Education Improvement Act of 2004.
- Shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. *[Ref. Title 5 CA Code of Regulations, §11967.5.1(f)(5)(C)]*
- Shall ensure that teachers in the 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. California Education Code §47605(l)]*
- Shall at all times maintain all necessary and appropriate insurance coverage.
- If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide the school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information. *[Ref. California Education Code §47605(d)(3)]*
- Will follow any and all other federal, state, and local laws and regulations that pertain to the applicant or the operation of the charter school.

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Authorized Representative's Signature

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Date

## INTRODUCTION

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

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

This charter school shall be known as **Sky Mountain Charter School** (hereafter "**SMCS**") and its local administrative office shall be located in Lucerne Valley, CA in San Bernardino County.

SMCS fully embraces the Legislative intent of the Charter Schools Act, and its mandate. Specifically, SMCS will:

- Improve pupil learning by expanding access to individualized curriculum based on the students' strengths.
- Increase learning opportunities for low-achieving pupils by allowing them to participate in an intervention program.
- Provide different and innovative teaching methods using a combination of individualized learning and project-based activities.
- Create professional development opportunities for teachers, including increased responsibility for individualized student learning, as they play an active role in shaping a unique curriculum.
- Provide a unique educational choice for parents/guardians that is not offered by any school district in the county.
- Demonstrate its ability to successfully operate these academic programs and meet measurable pupil outcomes within a performance-based context.
- Provide competition to other school programs that will stimulate the improvement of all public schools in the region.

## **FOUNDING GROUP**

Innovative Education Management, Inc. ("IEM"), is a nonprofit 501(c)(3) public benefit corporation that specializes in charter school development, management, administration, oversight, advocacy, and finance. IEM also provides services in curriculum development, teacher training, educational resources and technical support.

IEM's primary personnel have extensive experience in public school education, school boards, and charter school operations with a long history of success. They are charter school pioneers, having worked with several of the earliest California charter schools since the early 1990s. With different but complementary educational experiences, they are deeply committed to extensive parental involvement in TK-12 education. They hold the belief that each child learns most effectively when his or her education is tailored to meet individual learning styles and interests. They believe that each child will perform to his or her fullest in personalized learning environments. They are experienced in overseeing charter school administration, including budget development, hiring and training educational staff, implementing special education regulations, managing educational support departments, and ensuring that the charter school is fully accountable and in compliance with all state and charter school laws and regulations.

### **Examples of Available Ongoing Support and Assistance**

#### **Association of Personalized Learning Schools and Services**

APLUS+ Founded by Jeff Rice, and currently in its 17th year of operation, APLUS+ supports approximately 65 Personalized Learning public charter schools throughout California collectively enrolling more than 70,000 TK-12 students. Since its inception, APLUS+ has been a leading voice to raise awareness and understanding of the critical need for parent and student choice in public education, and specifically for a personalized learning option in education for the growing number of students for whom a rigid, classroom-only model is not a good match for success.

#### **Charter School Development Center**

Founded in 1992, CSDC is the nation's oldest non-profit resource center to charter schools. CSDC provides expert technical assistance informed by close involvement with law, regulation and practice related to all aspects of charter schools operations and oversight. Eric Premack, founding Director of CSDC, is a leading expert in charter school operations and governance, with special expertise in finance, law, and policy. Susanne Coie, Development Services Manager, has expertise in curriculum, instruction and assessment as well as charter school finance, governance and operations. Their vision is to help public education change from a highly regulated, process-based system to one that allows and encourages schools to be more creative, performance-based centers of effective teaching and learning. They aim to achieve this by providing technical assistance to the charter school reform movement in California, nationally, and internationally.

## ELEMENT ONE: EDUCATIONAL PROGRAM

*Governing Law: A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners. A description, for the charter school, of annual goals, for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals. --California Education Code Section 47605 (b)(5)(A)(i)*

*Governing Law: If the proposed school will serve high school pupils, a description of the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the "A" to "G" admissions criteria may be considered to meet college entrance requirements. A description, for the charter school, of annual goals, for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals. --California Education Code Section 47605(b)(5)(A)(ii)*

### Mission Statement

SMCS believes in honoring individual education choices. SMCS commits to providing an innovative public education for students, their parents, and teachers by empowering them to create learning opportunities which will develop responsible and contributing members of society.

### Educational Philosophy

SMCS will operate on the philosophy that all students have different learning styles, abilities, and background experiences. As important as "what" students learn is "how" they learn. The former may be viewed as the end goal of education while the latter is the road leading to it. SMCS will utilize learning and assessment modalities that, based on current research, identify best practices regarding how students learn.

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

SMCS identifies an educated person in the twenty-first century to mean a person who is literate, can understand and function sufficiently in the world around him or her, has an overview of the history of mankind, has an understanding of United States political processes, has an ability to solve mathematical problems and to think scientifically, and has the values necessary to enhance the world in which he or she lives. This person is one who has realized his or her own unique educational interests,

talents, or abilities. It is the goal of this charter school to help students become educated individuals who are intrinsically motivated to learn, who have diverse yet well-developed interests, and who are becoming competent lifelong learners.

SMCS affirms the importance of educating children to be optimally prepared for the twenty-first century. Living in the age of computers and the internet provides students the opportunity to acquire knowledge unlike any other time in history. SMCS will continuously update its curricular options to allow its students to utilize state-of-the-art educational technology and learning systems.

### **How Learning Best Occurs**

This charter school's parents, students, teachers, administrators and staff believe that the best learning occurs when:

- Academic instruction is viewed as one important and central aspect of an effective education that leads to mastery of the state academic content standards.
- Flexible instructional practices are tailored to the strengths of the students and their learning style and are congruent with the intended academic outcome.
- Teachers not only teach but also mentor, support and coach students and each other.
- Contextual learning is emphasized allowing students to grasp the logical application of their learning.
- Parents are active partners in the school, in the creation of learning opportunities and in the work produced by their child(ren).
- Real life context-based learning is emphasized within individualized learning environment.
- The entire community serves as a platform for learning; learning opportunities integrate and bridge school-based learning with community-based learning.
- Educators have the flexibility to respond to the instructional needs of each student by altering the curriculum or method of instruction to meet the student's needs, as appropriate, throughout the academic term.

Educational program goals of SMCS include, but shall not be limited to, the following areas of student attainment. Students will:

- Perform and achieve better than their previous year's state assessment scores when available.
- Apply the skills and concepts of the school's academic content standards and the state academic content standards in their daily assignments.
- Actively engage in skill development and in the discovery and construction of their own knowledge by participation in individual learning activities.
- Demonstrate the ability to use technology efficiently integrated into daily assignments.
- Recognize and use their strongest skills and abilities to build confidence and motivation to improve in areas where they are weak.
- Be provided with opportunities to explore their potential in the visual and performing arts and or with a foreign language.

### **Students to be Served**

SMCS will be open to all students in grades TK-12 in San Bernardino County and contiguous counties. SMCS will be nonsectarian in its programs, admission policies, employment practices, and all other operations. SMCS will specifically target currently non-enrolled students seeking a non-traditional, individualized educational setting. SMCS shall not charge tuition, and shall not discriminate against any pupil on the basis of ethnicity, gender, religion, national origin, ability, disability, or place of residence.

Student enrollment and Education Specialist (credentialed teacher) assignments will be based on community need and availability of an Educational Specialist who meets state credentialing requirements (Ed Code 44865 & 51747.5).

Parents who enroll their children in SMCS shall, through specific enrollment and curriculum contracts, accept the responsibility to actively participate in their children's education. SMCS will support its students and parents both with appropriate educational materials, and with a team of an Educational Specialist or ESs (who meet state credentialing requirements), ES Advisors, and school administrators. SMCS Education Specialists and ES Advisors shall advise and assist parents and students in all aspects of student education pursuant to relevant contracts.

### **Program Structure**

Students who attend SMCS will be educated in non site-based learning environments and small learning communities with individually designed curricula, which may include, but are not limited to, small group instruction, apprenticeships, community-based educational programs, group seminars, distance learning via current technology, individualized tutorials, computer assisted instruction, cooperative school programs and classes, on-the-job training, flexible course scheduling, and independent study. The educational program is individualized so that no two students have the exact same experience. Each student will be assigned a credentialed instructor ["Educational Specialist" or "ES"], who will oversee the educational progress of the student. All student curricula will be subject to approval by the school administration, in accordance with state law. For purposes of ESEA, this charter school defines core subjects to be English, Mathematics, Social Science, and Science. This charter school designates middle school to be an elementary program. State academic content standards will be covered in the curriculum selected for each student.

Each minor student and at least one parent or guardian, and each adult student, with the assistance of SMCS Education Specialists (ES) and ES Advisors, shall design, consistent with SMCS student standards and policies, appropriate individualized learning plans based upon the student's educational needs and objectives, and shall sign a written agreement with SMCS that clearly describes the student's individual educational goals and curriculum for each school year the student is enrolled with SMCS. The written agreement shall describe the student's course(s) of study, the chosen method(s) of ascertaining competence in designated course(s) of study, and if applicable, the credit(s) the student will receive upon successfully demonstrating competence and completing the course of study, as well as any other matter required by applicable law.

### **Attendance Guidelines**

The school will offer a minimum number of instructional days per year as required by law (currently 175 days). Though students will have flexibility in when, where, and how they learn, they are expected to have daily engagement in learning on each school day. Parents or guardians will track the student's daily engagement on the attendance roll sheet. The assigned ES will review student learning and discuss the daily engagement log as filled out by the parent in learning record meetings. As the teacher of record, the assigned ES will complete and submit the official attendance roll sheet. SMCS may elect to offer multiple tracks based on parent need and availability of staff.

## **Independent Study Legal Compliance**

SMCS will comply with all applicable independent study laws including but not limited to California Education Code Sections 51745, et seq.; 47612.5; 47634.2; and Title 5, California Code of Regulations, Sections 11700-11705; and 19850-19854. These laws require, among other things, that the Charter School will operate pursuant to an adopted Independent Study Policy; each student will have a master agreement as required by law; and the Charter School must file for a funding determination as a condition of funding.

## **Technology/Enrichment Support**

As part of educating a person in the 21st Century SMCS affirms the importance of educating children to be optimally prepared for their futures. Living in the age of computers and the internet provides students the opportunity to acquire knowledge unlike any other time in history. SMCS will continuously update its curricular options to allow its students to utilize state-of-the-art educational technology and learning systems. SMCS will also provide expanded opportunities for learning and educational options virtually. However, SMCS' mission is to honor individual education choice; therefore, SMCS will not require the use of technology by SMCS' students if a parent or child's learning philosophy does not support such use.

## **Personalized Support**

Each student's learning is assessed regularly with a variety of assessments depending on the student's curriculum at the regular meeting with the parent(s), student, and Education Specialist (ES). If the student is showing signs of struggling with their learning, the ES will engage the parent and student in a conversation about individualized supportive measures for the student. Examples of supportive measures include but are not limited to: changing the learning platform, changing the curriculum, requiring additional ES support, intervention, and/or additional assessments.

Students have the opportunity to take a learning styles assessment in order to personalize their curriculum to how they best learn. Researched curriculum is generated through SMCS' system that lists the curriculum that can be used according to the student's learning styles assessment.

Sky Mountain Charter School maintains an expansive list of service vendors and product vendors to support each student's individualized learning plan. Student Instructional Funds are used to facilitate the learning of the enrolled student through both online and print curriculums, local community resources, technology tools, and supplies. Non-consumable curriculum purchased by the school may be reused by other students.

The determination of curriculum shall begin with diagnostic Reading and Math assessments (i.e. i-Ready® an online adaptive learning internal assessment). The assessment tool will provide formative and summative assessments for Reading and Mathematics that were designed to align with the state academic standards and adapts across grades K-12 so that annual academic growth can be measured across a single scaled score. The Education Specialist uses these assessment reports to specifically target the individualized learning needs of the student.

## TK-8 Curriculum

The TK-8 curriculum offerings at SMCS represent a broad course of study and reflect the diversity of educational philosophies, learning styles, and academic approaches utilized for students in grades K-8. A few examples of educational philosophies include Waldorf, Montessori, Classical, Traditional Textbooks, or Unit-based Learning. As such, SMCS does not formally adopt or promote any one particular type of curriculum. Education Specialists work closely with the parent(s) to address individualized academic needs of the student through curriculum and instructional support in each student's individualized learning plan. Changes in curriculum can be made as the academic year progresses, based on the identified needs of the student.

A few of our most popular TK - 8 curriculums include:

- Oak Meadow
- Pearson
- Houghton Mifflin
- All About Reading
- Explode the Code
- K12
- Comprehend
- Online G3
- Accelerate Education
- Singapore Math
- Math-U-See
- Saxon Math
- Beast Academy
- Time4Learning
- APEX Learning
- Story of the World
- My World Interactive
- Moving Beyond the Page

## High School Curriculum

The high school curriculum offerings at SMCS represent a broad course of study and reflect the diversity of educational philosophies, learning styles, and academic approaches. SMCS will offer educational opportunities for college bound students through a series of UC/CSU approved a-g courses and AP (Advanced Placement) courses. Career Technical Education (CTE) opportunities will be available to all high school students who would like to learn technical trade skills. SMCS's diversified high school course list will allow students, parents, and Educational Specialists to customize a high school plan that will meet the unique academic needs of each student. SMCS high school students will receive information on the transferability of courses to other public high schools and eligibility for college entrance through individual meetings with assigned Education Specialist(s) and SMCS guidance coordinator(s). SMCS Education Specialists will receive annual training in these requirements.

A few of our most popular high school curriculums include:

- Prentice Hall textbooks
- Holt McDougal textbooks
- Pearson textbooks
- Glencoe textbooks
- McGraw Hill textbooks
- History World (online textbook)
- Great Books
- Houghton Mifflin textbooks
- Saxon textbooks
- Cengage textbooks
- Project Lead the Way (PLTW a-g curriculum)
- Georgetown University Press textbooks
- Santillana Press textbooks
- EMC Publishing textbooks
- Norton and Company textbooks
- Oxford University Press textbooks
- Apex (online learning)
- COMPREHEND (online learning)
- eDynamics online (CTE)
- Brighton College online (CTE)

## Course Transferability

Sky Mountain Charter School is WASC accredited. The most recent self-study process was completed in Spring 2018 and resulted in a six year accreditation with a midcycle visit that will occur in Spring 2021. Accreditation is integral to a school's ongoing cycle of assessment, planning, implementation, monitoring, and reassessment based upon student achievement. It fosters excellence by encouraging school improvement through a process of continuing evaluation to insure that the school meets an acceptable level of quality in accordance with established criteria. Accreditation assures that the school's vision and mission are being accomplished through a viable education program, and that it is a trustworthy institution for student learning. Further, accreditation validates the integrity of the school's program and transcripts, thus facilitating the transfer of credits to other schools, which is critical for college/university acceptance worldwide.

## College Entrance Requirements

All high school students and parents/guardians have the option of a meeting with guidance staff that includes information about graduation requirements, learning options, and the development of a personalized course of study to fulfill graduation requirements. Information about all high school courses is available through the SMCS course catalog search on the school website. Information about the [UC/CSU course of study](#) that meets University of California and California State University admission requirements is available online to all SMCS students. The UCOP website maintains a current and accurate list of all of Sky Mountain Charter School's [a-g course offerings](#). Students select and follow a pathway towards graduation, depending upon their career and college goals. [Sky Mountain graduation paths](#)

## Plan for Students Who Are Academically Low-Achieving

To directly support low achieving students, SMCS believes that teachers, parents, and students must collaborate to design optimal education plans. All students will be given a local assessment upon admission to SMCS. All actively enrolled students will be given the local assessment twice each year: once at the start of each school year and once in the spring semester. Because these computer-based local assessments use "adaptive learning" testing strategies, the assessment reports will give the parent and Education Specialist detailed information on each child's academic performance in reading and math, specific to the sub-skill level.

In an effort to provide additional assistance to academically low achieving students, SMCS will have an intervention program as part of our larger Personalized Student Success Plan (PSSP). Students who have been identified as struggling in math and/or reading will be offered additional resources and instructional support. Ongoing progress monitoring of students who qualify, will provide parents and Educational Specialists with objective metrics to help in the formation of the students' PSSP that will ultimately support each child's unique academic needs.

## Plan for Students Who Are Academically High-Achieving

Individual learning plans allow for a greater level of specialization, depth and rigor in comparison to a traditional classroom setting. An academically high achieving student will benefit from the resources provided through SMCS' extensive list of approved educational vendors.

For high school students, a full succession of UC/CSU approved a-g courses can be taken in preparation for admission to any UC or CSU campus. Also, students may choose to enroll in more academically challenging Advanced Placement courses or community college courses. The Guidance Coordinator(s) at SMCS will work with the students, parents and Educational Specialists on topics of college admission requirements, scholarships, and grant opportunities.

## **Plan for English Learners**

### **ELPAC Testing**

Upon initial enrollment in a California public school, SMCS will conduct a survey of a student's home language, known as the Home Language Survey. If a parent or guardian survey response indicates a primary or native language other than English, and SMCS determines the pupil is eligible for the initial assessment, SMCS shall promptly notify the parent or guardian in writing, prior to the administration of the assessment that SMCS will administer the English Language Proficiency Assessments for California ("ELPAC") initial assessment.

SMCS shall administer and locally score the ELPAC initial assessment within thirty days of initial enrollment. The Charter School shall administer the ELPAC summative assessment at least annually thereafter during the ELPAC summative assessment testing window until re-designated as fluent English proficient.

The Charter School will notify all parents/guardians of its responsibility for ELPAC testing and of ELPAC results within thirty days of receiving results from publisher.

SMCS administers the ELPAC and informs the Education Specialist of the scores so that they can make informed decisions as to the correct curriculum and interventions services to provide. SMCS has an ELD program that supports LTEL (Long Term English Learners) students. All of SMCS EL students are supported by an EL Coordinator and are offered several choices of research based English Language Development Curricula in order to progress in their English Language proficiency level (examples include but are not limited to Read 180/System 44 and iRead). English Learner students receive specialized tutoring to support them in their English Language Development. ~~In addition, each EL student has a Personalized Student Success Plan which includes goals and is completed annually in collaboration between the ES and the parent.~~ English Language students are tested annually until they become proficient in English and are monitored for four years thereafter.

### **Reclassification Procedures**

Students designated as EL are eligible to be reclassified RFEP if they score Overall Level 4 on their summative ELPAC assessment. If a student scores Overall Level 4, the assessment department notifies that student's ES and the EL Coordinator to review local and state assessment performance as well as general academic performance. If performance is consistent with English mastery, the ES contacts the student's parent/guardian to review all information and for input. If all agree that the student is ready for reclassification, they are reclassified as RFEP. If it is determined at any step that reclassification is not appropriate, then the student remains EL and continues to take the ELPAC. Reclassified students are monitored for a period of 4 years, as required by the CDE. If a reclassified

student is struggling, the ES, parent, and EL Coordinator convene to discuss options such as tutoring, more time with their ES, and other supports.

### **English Learner Instructional Strategies and Curriculum**

Each student will be offered targeted tutoring with specialized vendors, and/or the opportunity to receive additional help in the form of more intensive weekly contact with their ES. In addition, students in grades TK-12 will be offered and encouraged to use skills level appropriate curriculum found on the list of California recommended ELD Curriculum. SMCS will regularly review the effectiveness of the ELD program and change curriculum recommendations as needed.

### **Plan for Serving Students with Disabilities**

The charter school shall serve the needs of students with disabilities by complying with all applicable state and federal laws and regulations prohibiting discrimination against students with disabilities and requiring a Free Appropriate Public Education (FAPE) be provided to, students with disabilities. Currently, SMCS is a school of the district for the purposes of special education through the Sonoma County SELPA.

The SMCS Special Education Director or designee will:

- Interface with the Chartering District and the SELPA, when necessary, to insure compliance with all phases of special education including referral, assessment and identification, and services, to insure that all requirements of the Individuals with Disabilities Education Act mandates are followed.
- Coordinate all phases of the IEP process (meeting notices, IEP development, implementation, and monitoring) for all students referred and/or identified for special education.
- Monitor IEPs for compliance as required to meet state mandates
- Monitor special education expenditures with the sponsoring district and the SELPA to ensure that all costs associated with Special Education services meet the requirements for FAPE and are billed back to the district. All SMCS costs exceeding available special education SELPA funding will be the responsibility of SMCS as encroachment.
- Interface with all families of identified students attending the charter school.

### **Section 504 of the Rehabilitation Act**

Section 504 is considered a responsibility of the general education program and requires participation from the general education staff. The school has a responsibility to seek, identify, and develop 504 plans for Section 504 eligible students. Students may be self-referred, or referred by a parent/guardian, teacher, or other school employee.

To become eligible for a 504 accommodation plan, a student must be determined, as a result of an evaluation, to have a “physical or mental impairment” that “substantially limits one or more major life activities.” The evaluation process for a 504 Accommodation Plan may include, but is not limited to gathering information from:

- Physician’s Report
- School Nurse
- Teacher Report
- Achievement Tests
- Work Samples
- Cognitive Assessments
- Home and Health History
- Previous 504 Plan
- Parent Information

A 504 Accommodation Plan asks, "Is there a documented disability that interferes with learning and requires accommodations to ensure student's academic success and access to the learning environment?"

The Office of Civil Rights (OCR) determined that the major life activities include but are not limited to:

- Learning
- Reading
- Concentrating
- Walking
- Speaking
- Seeing
- Sleeping
- Eating
- Breathing
- Communicating
- Caring for Oneself
- Other Medical Major Bodily Function

### *Services for Students Under the Individuals with Disabilities Education Act*

#### **Staffing**

Special Education processes and services are provided by all highly qualified employees of the school or employees of a non-public agency (NPA). The Sky Mountain Charter School has a school psychologist, a Program Specialist and an Assistant Special Education Director as well as Special Education Director.

Sky Mountain also uses a variety of NPAs to provide Related Services which may include, but are not limited to Speech and Language Therapy (SL), Occupational Therapy (OT) and all other DIS services as mandated by a student's IEP (Individualized Education Program). The Sky Mountain Charter School will continue to only use highly qualified staff to assess in their respective areas of expertise.

#### **Identification and Referral**

Every SELPA and school district are required to have procedures in place to help locate students who may need special education services or have a disability. Information about Child Find is provided in the parent manual so that parents are aware of services that Sky Mountain Charter School provides to meet requirements of Child Find. These Child Find requirements can also be accessed through the school's website. Additionally, the educational staff is trained on Child Find requirements annually. To ensure new students are "found", teachers ask parents a series of questions regarding any learning concerns or known disabilities. All students participate in a diagnostic assessment, such as iReady, at the beginning of the school year and in the spring.

Sky Mountain actively and systematically seeks out all individuals with disabilities from TK to 12th grade. This school also, as part of its annual notification of parental rights and responsibilities, provides notification that a student can be evaluated to determine eligibility for special education. Assigned administrative personnel or their designee have the responsibility at the local school level for the coordination of the Child Find activities such as SST. Procedures are established at this school for informing the school community on a continual basis of the program alternatives available for disabled children within this school.

Sky Mountain Charter School has a legally compliant Special Education referral process. Students are referred to Special Education in a variety of ways. These include direct parent requests, referrals through SMCS' SST process and referrals from general education teachers. Parents have access, in the parent manual, to the information about how to request Special Education evaluations as well. As soon as Sky Mountain Charter School receives the request, the school begins the 15-day timeline and sends out an Assessment Plan along with a Prior Written Notice. With the Assessment Plan and PWN, the parents are sent a video link explaining the Special Education evaluation process, including discussion of assessments (formal and informal) and timelines.

All students at Sky Mountain Charter School also have a Personalized Student Success Plan (PSSP) where they set goals and partake in interventions and supports which utilize a variety of research-based opportunities coupled with the opportunity for additional tutoring. If progress is not noted, then students may also be referred for Special Education evaluation through this means.

### **Assessments/Reassessments**

Assessment/Reassessment is completed by all highly qualified employees of the school or employees of a non-public agency.

SMCS will also use a variety of NPAs to complete SMCS' SL and OT evaluations as well as evaluations for Related services. Sky Mountain Charter School will continue to only use highly qualified staff to assess in their respective areas of expertise. The previously mentioned staff will continue to be employed by Sky Mountain Charter as well. All staff and NPAs understand that the school is required to assess in all areas of suspected disability and the school utilizes current and culturally appropriate assessments in the evaluation process. The reports that are created from these evaluations are multi-disciplinary and always include parent interview, staff interview, student observation, review of records as well as more formalized assessments.

### **IEP Meetings**

All IEP meetings are held in compliance with federal timelines that govern the IEP Process. To ensure meaningful participation, a Notice of Meeting is sent to the parent after a date and time for the IEP have been agreed upon. SMCS shall follow applicable law and SELPA policies regarding the discipline of special education students which includes, but is not limited to the Manifestation Determination process.

### **IEP Development and Implementation**

The IEP process at Sky Mountain is governed by all requirements related to timelines identified by IDEA. Additionally, all required team members, per Section 1414(d)(1)(B), attend the IEP. Sky Mountain understands the requirement of meaningful parental participation.

A copy of the Procedural Safeguards is provided to the parents with each IEP and Assessment Plan. The Procedural Safeguards are also reviewed with the parent at each IEP meeting. Additionally, the parent is encouraged to ask questions or to contact the Special Education Department if any additional questions arise.

Sky Mountain Charter School maintains a focus on ensuring that present levels of performance are valid and drive the goals and services. IEP goals are focused on working toward grade level standards

and are individualized for each student in order to create an achievable, measurable goal. The Offer of FAPE is discussed at the IEP meeting along with the Least Restrictive Environment. Services are implemented upon parent consent. Sky Mountain Charter School understands its responsibility to ensure a continuum of placement is offered if it is determined that an independent study program is not the Least Restrictive Environment.

All of SMCS' students who have academic needs, as identified by the IEP, are provided Specialized Academic Instruction with a Special Education teacher. There are some students who may also participate in small groups of 4-5 based on IEP goals via an online synchronous platform with a highly qualified teacher. Additionally, the Special Education Department provides a transition course that meets the needs of students from 9-12 as well as a Pre-Algebra class, Algebra 1 (A-G approved), as well as English 9-12.

The IEP goals in the area of academics are created using the goal banks in SEIS which are aligned to the CA-CCSS. Additionally, as part of the Specialized Academic Instruction and monitoring of progress, SMCS will provide formal goal reports to parents at the end of each semester and encourage collaboration with all IEP team members and parents as an ongoing Supplemental Aide when necessary. The data collected helps to determine if the goals continue to be appropriate.

All students who require related services are provided these via a network of NPAs throughout SMCS' territory. NPAs are identified as qualified to serve Sky Mountain Charter School students by the NPA's inclusion in the CDE list of certified NPAs. In the event that SMCS needs to provide specialized evaluations such as audiological evaluations and Vision Therapy and cannot locate a provider, Sky Mountain will work with local districts to identify an appropriate provider. Low incidence services are also provided by NPAs as well as by working collaboratively with the local community. Related services are provided in person (individually and in groups) as well as via tele-practice.

### **Participation in Statewide Assessments**

All Special Education students shall participate in state testing. The IEP team discusses the appropriateness of embedded and non-embedded supports for each of the statewide assessments for each student. Students are provided what the team deems necessary to participate.

All general education teachers are trained to properly administer all statewide assessments including the ELPAC, CAAASP, CAST and CAA. The process for determining which students take which tests is always determined through the IEP meeting. Additionally, EL status determines the participation on the ELPAC.

### **Special Education Funding**

Special Education services and costs are funded by federal and state funding. The funding of the Special Education program at Sky Mountain Charter School will be provided through the Sonoma Charter SELPA, beginning July 1, 2019. Sky Mountain continues to look at ways to improve services and results for its students, and at the same, be fiscally responsible.

**ELEMENTS TWO AND THREE:  
MEASURABLE STUDENT OUTCOMES AND METHODS OF MEASUREMENT**

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

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

**Annual Goals for the State Priorities**

The following is a table describing SMCS’ annual goals to be achieved in the state priorities school-wide and for all applicable pupil subgroups, and specific annual actions to achieve those goals along with the measurable outcomes. Annual goals, action items and measurable outcomes will be modified on an annual basis through the Local Control Accountability Plan (LCAP) review. Through parent, staff, student and administrative input and needs assessments, the LCAP will include 2-3 annual priorities, action items and measurable outcomes that will address the areas of need for SMCS’ student population. This annual revision and LCAP document will be posted on the school’s website. The annual review and LCAP update does not constitute a material revision of the charter. The LCAP is included as Appendix B.

<b>SMCS’s Annual Goals, Actions and Outcomes to Achieve State Priorities</b>		
<b>STATE PRIORITY 1: Teacher Credentialing, Access to Standards-Aligned Instructional Materials, and Maintenance of School Facilities --E.C. §44258.9, 60119, 17002(d)</b>		
<b>Annual Goals to Achieve Priority #1</b>	<b>Actions to Achieve Annual Goals</b>	<b>Measurable Outcomes and Methods of Measurement</b>
<ul style="list-style-type: none"> <li>• SMCS will hire and train qualified Education Specialists.</li> <li>• SMCS will use standards-aligned curriculum options and instructional approaches to best prepare students</li> </ul>	<ul style="list-style-type: none"> <li>• All newly hired Education Specialists will undergo a rigorous training process, which includes training on the variety of educational philosophies, and how those related to state academic content standards.</li> <li>• Education Specialists will engage in ongoing professional development training sessions on curriculum , and its</li> </ul>	<ul style="list-style-type: none"> <li>• 100% of the newly hired Education Specialists will have a valid California teaching credential.</li> <li>• 100% of newly hired Education Specialists will attend New ES Orientation and Onboarding training.</li> </ul>

<p>for college and career pathways.</p>	<p>application with a diversity of students in an independent study setting.</p> <ul style="list-style-type: none"> <li>• Student Instructional Funds will be used to provide each pupil access to standards-aligned instructional materials unique to their educational needs.</li> <li>• SMCS will conduct surveys on student use of curriculum and involvement in school programs.</li> </ul>	<ul style="list-style-type: none"> <li>• At least 90% of Education Specialists will agree that the professional development opportunities offered were relevant and beneficial to their job as an educator with SMCS.</li> <li>• 100% of students will have adequate access to standards-aligned instructional materials.</li> <li>• 100% of Education Specialists assigned to EL students will have CLAD certification or the equivalent.</li> </ul>
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**STATE PRIORITY 2: Implementation of State-Adopted Standards, Including Access to Academic Content and Development of English Proficiency by English Learners**

<p><b>Annual Goals to Achieve Priority #2</b></p>	<p><b>Actions to Achieve Annual Goals</b></p>	<p><b>Measurable Outcomes and Methods of Measurement</b></p>
<ul style="list-style-type: none"> <li>• SMCS will provide state academic standards aligned Math and ELA curriculum to all students.</li> <li>• EL students will be provided a network of supportive educational resources to gain academic content knowledge and English Language proficiency rooted in state academic content standards.</li> </ul>	<ul style="list-style-type: none"> <li>• Instructional funds will first be spent on state academic standards aligned core curriculum.</li> <li>• Supplementary online programs in math and ELA will be provided.</li> <li>• All students will be given access to state academic standards aligned curriculum.</li> <li>• For EL students, <ul style="list-style-type: none"> <li>○ research-based EL curriculum will be provided.</li> <li>○ tutoring and/or classes for Math and ELA will be offered.</li> <li>○ SMCS EL Coordinator will facilitate the needs of</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• 100% of students will have access to state academic standards aligned curriculum.</li> <li>• 100% of students in grades K-8 will be offered supplemental online instruction addressing state academic content standards in Reading and Math (such as iReady).</li> <li>• Over 50% of EL students will utilize research-based EL curriculum.</li> <li>• Over 50% of EL students will take advantage of</li> </ul>

	the EL student population.	supplemental ELD supports (such as tutoring or working with EL Teacher).
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**STATE PRIORITY 3: Parent Involvement in School Site Decisions, Including Parental Participation in Programs for Unduplicated Pupils and EL Student**

<b>Annual Goals to Achieve Priority #3</b>	<b>Actions to Achieve Annual Goals</b>	<b>Measurable Outcomes and Methods of Measurement</b>
<ul style="list-style-type: none"> <li>• In SMCS' educational model, parents will play an integral role in educational decisions for their enrolled children.</li> <li>• SMCS will facilitate parent participation in the LCAP Advisory Committee.</li> <li>• SMCS will facilitate EL parent participation in the ELAC (English Learner Advisory Committee).</li> <li>• SMCS will maintain Western Association of Schools and Colleges (WASC) parent focus groups every self-study cycle.</li> </ul>	<ul style="list-style-type: none"> <li>• Conduct annual parent surveys.</li> <li>• Conduct parent council and governing board meetings.</li> <li>• Provide events for parents to interact with school leaders.</li> <li>• Education Specialists will encourage their students' parents to get involved in the LCAP process.</li> <li>• EL Coordinator will reach out to the parents of all EL students to encourage parent participation in the ELAC process.</li> </ul>	<ul style="list-style-type: none"> <li>• At least 80% of parents will say they would recommend the school to their friends and family on SMCS' surveys.</li> <li>• SMCS will conduct at least two parent council meetings per school year.</li> <li>• 100% of parents will have access to school events with school leadership.</li> <li>• Parent participation in the LCAP process will be at or above the prior year.</li> <li>• Parents will participate in the bi-annual ELAC (English Learner Advisory Committee) .</li> </ul>

**STATE PRIORITY 4: Pupil Achievement as Measured by all of the Following:**

- **Mandated Statewide Assessments**
- **UC A-G/Career Readiness**
- **Progress Towards English Proficiency and English Learner Reclassification**

<b>Annual Goals to Achieve Priority #4</b>	<b>Actions to Achieve Annual Goals</b>	<b>Measurable Outcomes and Methods of Measurement</b>
<ul style="list-style-type: none"> <li>• SMCS students will participate in all statewide</li> </ul>	<ul style="list-style-type: none"> <li>• Testing centers for state mandated assessments will be coordinated to facilitate the</li> </ul>	<ul style="list-style-type: none"> <li>• SMCS will maintain 90% student participation in</li> </ul>

<p>mandated assessments.</p> <ul style="list-style-type: none"> <li>• SMCS will make progressive gains on the CA School Dashboard Academic Indicators or a SMCS local assessment.</li> <li>• EL students will make progress towards English Language proficiency.</li> <li>• LTEL (Long Term English Learner) population will be provided highly targeted instructional support.</li> </ul>	<p>participation of students spread out over multiple counties.</p> <ul style="list-style-type: none"> <li>• A Personalized Student Success Plan (PSSP) will be used to target students struggling and provide them with additional resources and support.</li> <li>• Guidance Coordinators will encourage all high school students to take community college courses.</li> <li>• EL Coordinator will ensure that EL students are being offered additional support in their English Language development and are being assessed annually with the ELPAC.</li> <li>• LTEL students will be assigned an English Learner Teacher or tutor to make supplemental visits for ELA tutoring.</li> </ul>	<p>CAASPP assessments.</p> <ul style="list-style-type: none"> <li>• SMCS will show performance progress on state assessments schoolwide or within SMCS' significant subgroups.</li> <li>• Over 50% of students participating in school wide interventions under the PSSP will demonstrate improvements as demonstrated by SMCS local assessments.</li> <li>• Annually, SMCS will have students who reclassify as RFEP.</li> <li>• 100% of LTEL students will be offered supplemental EL tutoring.</li> </ul>
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**STATE PRIORITY 5: Pupil Engagement**

- **School Attendance Rates**
- **Chronic Absenteeism Rates**
- **High School Dropout Rates**
- **High School Graduation**

<p><b>Annual Goals to Achieve Priority #5</b></p>	<p><b>Actions to Achieve Annual Goals</b></p>	<p><b>Measurable Outcomes and Methods of Measurement</b></p>
<ul style="list-style-type: none"> <li>• SMCS will maintain its high level of school attendance rates and low level of chronic absenteeism.</li> <li>• High school dropout rates will be reduced at SMCS as a result of Personalized Student Success Plans (PSSP)</li> </ul>	<ul style="list-style-type: none"> <li>• Parents will remain active partners in the school and in the creation of daily learning opportunities for their child(ren), resulting in high attendance rates.</li> <li>• Parents and Education Specialists will regularly discuss student academic progress.</li> <li>• SMCS will minimize dropout rates through targeted intervention strategies organized by the SMCS certificated staff.</li> <li>• High school students who enroll credit deficient will be offered</li> </ul>	<ul style="list-style-type: none"> <li>• SMCS will maintain a low level of chronic absenteeism as measured on the CA Dashboard.</li> <li>• 100% of high school students will have an individualized high school plan.</li> <li>• For high school students who have been continuously enrolled for three or more years, the graduation rate will be</li> </ul>

<ul style="list-style-type: none"> <li>Students enrolled continuously with SMCS for at least 3 years of high school will graduate on time.</li> </ul>	<p>Additional ES Support weekly or bi-weekly.</p> <ul style="list-style-type: none"> <li>CAASPP preparation will be emphasized.</li> <li>Conduct a school climate survey at least once every two years.</li> </ul>	<p>at or above the state average.</p>
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**STATE PRIORITY 6: School Climate**  
**Pupil Suspension Rates**  
**Pupil Expulsion Rates**  
**Other Local Measures, Including Surveys of Pupils, Parents and Teachers on Sense of Safety and School Connectedness**

<b>Annual Goals to Achieve Priority #6</b>	<b>Actions to Achieve Annual Goals</b>	<b>Measurable Outcomes and Methods of Measurement</b>
<ul style="list-style-type: none"> <li>Serve students in an independent study, personalized learning setting.</li> <li>Inform students that SMCS is a school of choice</li> <li>Students will be supported in following policies and procedures regarding student behavior leading to low suspension and expulsion rates.</li> <li>Provide ongoing feedback regarding student progress toward meeting state academic content standards</li> <li>Provide School events for SMCS' community.</li> </ul>	<ul style="list-style-type: none"> <li>Conduct a school climate survey at least once every two years.</li> <li>Annually, all parents and students will sign a written agreement regarding the charter school outcomes, philosophy, student outcomes and program requirements including: <ul style="list-style-type: none"> <li>Suspension and Expulsion policies in the Parent Manual (aka school handbook).</li> <li>Truancy Policy in the Parent Manual</li> <li>Civility Policy in the Parent Manual</li> <li>Bullying Policy in the Parent Manual</li> </ul> </li> <li>Monthly meetings between Education Specialist and family; and other forms of parent communication.</li> <li>SMCS will hold local and regional school events.</li> <li>SMCS will regularly offer parent seminars/workshops</li> </ul>	<ul style="list-style-type: none"> <li>Maintain suspension and expulsion rate for the most recent three year period of less than 3% of student population as reported on the Student Discipline data collection in CALPADS and reported on the SARC.</li> <li>A majority of the students who complete the school climate survey will respond to the statement, "I feel my school is a positive experience" with an affirmative response.</li> <li>100% of students will participate in a meeting with their assigned Education Specialist at least once every 20 school days.</li> <li>Year over year, SMCS will maintain or increase opportunities for school wide events.</li> </ul>

**STATE PRIORITIES 7 and 8: Access and Outcome to Broad Course of Study in Subject Areas  
-- E.C. §51210 and 51220(a)-(i), as Applicable**

“Broad course of study” includes the following, as applicable:

Grades 1-6: English, mathematics, social sciences, science, visual and performing arts, health, physical education, and other as prescribed by the governing board. (E.C. §51210)

Grades 7-12: English, social sciences, foreign language(s), physical education, science, mathematics, visual and performing arts, applied arts, and career technical education. (E.C. §51220(a)-(i))

Annual Goals to Achieve Priority #7	Actions to Achieve Annual Goals	Measurable Outcomes and Methods of Measurement
<ul style="list-style-type: none"> <li>• SMCS will provide access to a broad course of study to all students, regardless of the state classification status of each student.</li> <li>• SMCS will expand the offerings of CTE (Career Technical Education) courses for high school students.</li> <li>• SMCS will encourage all high school students to attend at least two community college courses during their high school career.</li> </ul>	<ul style="list-style-type: none"> <li>• SMCS will maintain a list of educational vendors to provide broad selection of educational opportunities, unique to the specific needs of the students.</li> <li>• For students in grades K-6, non-core subject matters (such as visual and performing arts) will be made available.</li> <li>• For students in grades 7-12, students will be able to choose to enroll in a diversity of core and non-core elective courses, including a sequence of approved a-g courses.</li> <li>• Guidance Coordinator(s) will promote community college and CTE options.</li> <li>• SMCS’ graduation requirements will reflect a broad course of study.</li> </ul>	<ul style="list-style-type: none"> <li>• New education vendors are approved each year to support students in the “broad course of study” specific to grades TK-12.</li> <li>• SMCS maintains an <a href="#">a-g course list</a> with the UCOP for high school students.</li> <li>• 100% of students that graduate from SMCS will have completed a broad course of study.</li> </ul>

The measurable pupil outcomes, for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program aligned with California State Frameworks and state academic content standards.

## STUDENT LEARNER OUTCOMES

Students will demonstrate competency in seven (7) school growth area goals. The extent to which students achieve these goals is determined by mastery of the student standards and by demonstrated proficiency on State Mandated Assessments:

*Student reads and writes effectively.*

- Student reads actively and derives meaning from written media.
- Student reads extensively for a variety of purposes.
- Student writes using grammatically acceptable English.
- Student adjusts tone and style of writing for purpose and audience.
- Student supports statements using well-rounded facts, theory, and opinion
- Student separates fact from opinion.
- Student logically reaches conclusions based on sufficient evidence.
- Student clearly and succinctly states key points.
- Student organizes ideas in a variety of ways.
- Student demonstrates creativity through style, organization, and development of content.

*Student sufficiently understands and functions in the world around him.*

- Student demonstrates involvement in his/her community.
- Student has knowledge of the reciprocal relationship between the individual and his/her environment.
- Student demonstrates various skills in seeking employment and/or college admission.
- Student understands and demonstrates his/her role as an employee, consumer, and financial manager.
- Student identifies and documents the effects of technology on his/her environment.
- Student participates in physical activities that develop strength, endurance, and personal fitness.

*Student appreciates the history of mankind in all its diversity.*

- Student shows his/her appreciation for history by identifying relationships between past and present events or situations involving cause and effect: people, events, or situations influencing an action or result.
- Student shows his/her appreciation for history by identifying relationships between past and present events or situations involving comparison: similarities and differences.
- Student shows his/her appreciation for history by identifying relationships between past and present events or situations involving classification: events and situations explained as political, economic, social, and/or intellectual.
- Student shows his/her appreciation for history by identifying relationships between past and present events or situations involving anticipation of the future using evidence from the past and the present to draw conclusion about the future.
- Student shows his/her appreciation for history by identifying relationships between past and present events or situations involving understanding of the extent of time.
- Student applies physical and cultural geography to his/her understanding of societies.

*Student comprehends the political process.*

- Student understands the structures, operations, and relationships of the governments in the United States.

*Student applies mathematical principles and operations to solve problems.*

- Student demonstrates knowledge of basic skills, conceptual understanding, and problem solving with numbers and operations.
- Student demonstrates knowledge of basic skills, conceptual understanding, and problem solving in geometry and measurement.
- Student demonstrates knowledge of basic skills, conceptual understanding, and problem solving in functions and algebra.
- Student demonstrates knowledge of basic skills, conceptual understanding, and problem solving in statistics and probability.
- Student solves problems that make significant demands in one or more of these aspects of the solution process: problem formulation, problem implementation, and problem conclusion.
- Student communicates his/her knowledge of basic skills, understanding of concepts, and his/her ability to solve problems and understand mathematical communication of others.

*Student applies scientific concepts and skills to explain his world and find solutions to its problems.*

- Student observes, compares, orders, and categorizes characteristics and behaviors.
- Student communicates ideas.
- Student relates factors of differing objects and events, and infers about unknown or unseen processes.
- Student applies knowledge and thought processes to explain his/her world and solve problems.
- Student shows a perception of the interrelationships among the scientific themes (energy, interactions, patterns, and change) and their application to the four spheres (lithosphere, hydrosphere, atmosphere, and ecosphere).
- Student recognizes the effects of the sciences, technologies, and societies on one another and on the environment.

*Student realizes his own unique educational interests, talents, and abilities.*

- Student participates in visual and performing arts, obtains aesthetic perception and valuing opportunities, and understands historical and cultural contributions, or
- Student communicates in a language other than English, while gaining knowledge and understanding of different cultures.

Students participate with their assigned Education Specialist and parents in the design of an individualized learning plan that incorporates all aspects of his/her educational program.

## **Methods of Measurement**

All students will achieve the student standards by graduation, but not all students will progress at the same rate. Certificated Education Specialists shall consider each student's individual abilities, interests, and talents in utilizing the following measurements.

The charter school shall administer the mandated state assessments and shall also meet any required state performance standards as developed. Every year the charter school shall receive an evaluation via the California School Dashboard based on multiple state and local measures. SMCS staff will use this data to review student and school progress and to determine if students are achieving academic levels which are at least equivalent to those achieved by students in similar type schools across the state.

Additionally, student progress will be assessed through the current state mandated assessment tools (CAASPP, ELPAC, and PFT) and a variety of the following:

- Local Schoolwide Assessments
- Monthly review of work
- Annual portfolios
- Parent, student, and Education Specialist observation
- Norm and criterion referenced tests
- Student demonstrations
- Student grades

## **Use and Reporting of Data**

### **Report of Individual Student Progress**

SMCS will give each student a baseline assessment when the student initially enrolls so that SMCS can track student progress. SMCS will keep a database system which will track the state mandated test scores for each student. SMCS will report data to parents, and will post a yearly SARC report on the school website. The CA School Dashboard will make available to the public, both state and local indicators about student progress at SMCS. SMCS will evaluate the data to see if any changes need to be made to SMCS' program on an ongoing basis.

### **Use of Achievement Data to Improve Charter School Programs**

School administration will regularly review a variety of student achievement data to inform SMCS' decisions about programs SMCS offers. As part of SMCS' continuing effort to engage parents and guardians in decision making at the school level, SMCS created an Academic Support Survey to gather information about the needs of SMCS' students and develop SMCS' LCAP. Each year, after the implementation of SMCS' LCAP programs and activities, SMCS surveys the parents and the staff so they can give their input on their student's greatest academic needs and how SMCS might best support high academic achievement in all students. Several online LCAP Advisory meetings are held during the school year so all stakeholders can review the survey results, discuss the trends seen in the data and give further input on the development of the LCAP. After reviewing the feedback received from stakeholders and reviewing the needs of the school, the LCAP goals and actions are developed. The process illustrated above is used annually to review programs offered by SMCS through the Local

Control Accountability Plan and to help develop the plan for the next school year based on the current needs of SMCS' students and the school as a whole.

Additionally, SMCS' Student Learning Survey is distributed to SMCS' Education Specialists in the spring of each school year, with the survey asking questions relating to SMCS' students' use of online and print curriculum, their utilization of the resources offered through SMCS' Intervention Program, as well as questions relating to SMCS' high school programs. SMCS' Curriculum Team develops SMCS' Student Learning Survey each year and has used its insights to create and improve upon SMCS' various school programs, as well as develop content for SMCS' parent webinars and ES professional development opportunities.

#### **ELEMENT FOUR: GOVERNANCE STRUCTURE**

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

For all purposes relating to this charter and the operation of SMCS, the governance of SMCS shall be divided and organized into two domains: first, **the governance of each family non site-based independent study environment**, which, with the assistance and under the supervision of an assigned ES, shall be the responsibility of the parent(s) or guardian(s) of each student enrolled in SMCS; and second, **the governance of the formal school supporting structure** which provides the opportunity for each parent to utilize a family non site-based independent study environment and administers each non site-based independent study environment's interface with the State of California, which shall be the responsibility of IEM.

Each of these two governance domains is equally important to the partnership between participating parents and IEM in successfully operating and governing SMCS. IEM will manage and operate Sky Mountain Charter School pursuant to the terms of this charter. If IEM ceases to be the manager for the charter school, the charter will terminate automatically.

#### **Governance of the non site-based Independent Study Classroom**

Research and experience have shown that when parents assume the role of teachers in cooperation with and under the supervision of an assigned ES in the context of non site-based independent study schooling, they can create an effective and successful environment for educating their children. This charter recognizes that parents know and love their children better than anyone else, and should have the strongest motivation to provide their children with a loving, nurturing, educational environment which can best facilitate their children's involvement in learning. Through non site-based independent study education, this charter provides parents with the opportunity to fully participate in their children's education and, in cooperation with and under the supervision of fully credentialed assigned ESs, to fulfill the role of natural teachers dedicated to their child's education in a daily, hands-on way.

Under this charter and pursuant to a formal student agreement required by the State of California and administered by SMCS, each parent or guardian of one or more students enrolled in SMCS, in cooperation with and under the supervision of an assigned fully credentialed ES, shall create, maintain, and govern a non site-based independent study environment in their home for each child enrolled in SMCS. Subject to and within the formal framework of this charter, SMCS policies and procedures, and to the fullest extent allowable under State and Federal law, each parent or guardian, in cooperation with

and under the supervision of a fully-credentialed assigned ES, shall be responsible for governing their own non site-based independent study environment by making decisions regarding their children's education, by selecting curricula appropriate for each child with assistance from SMCS staff, and by ensuring that their children have what the parent(s) or guardians(s) deem the best educational opportunities available through SMCS.

### **Governance of the Formal School Supporting Structure**

As provided in California Education Code Section 47604(a), Innovative Education Management, Inc., a California non-profit public benefit corporation, shall operate, and in all aspects, manage SMCS as a California public charter school. In this capacity, IEM will oversee all aspects of the charter school's operations, and will act as liaison with the sponsoring district. IEM shall establish and approve all educational and operational policies and practices, establish all appropriate student policies and handbook(s), approve all contracts, prepare the school's annual budget and manage the school's fiscal affairs, select and evaluate the school educational personnel, educational directors, and administrative staff, and shall perform all other functions and make all decisions useful or necessary relating to the school's corporate form, functions, or operations. IEM will act as SMCS' fiscal agent to the fullest extent of the law. In fulfilling all obligations relating hereto, IEM and SMCS shall comply with the provisions of Charter School Legislation and the California Department of Education directives regarding charter schools, and shall insure that a representative of IEM attends every Parent Council and Governing Board meeting.

### **The Parent Council**

SMCS shall have a Parent Council, the members of which shall be parents of SMCS students. The function of the Parent Council is two-fold: to provide feedback and advice to IEM regarding SMCS students' and parents' non site-based independent study experiences and concerns, as well as suggestions and ideas for improving the parents' and the school's educational programs; and to uphold the mission of the school and contribute to the success of SMCS by fulfilling the obligations set out herein. Except as otherwise provided herein, each member of the Parent Council shall be elected by a majority vote cast by the parents of SMCS students, and the term of office for each member shall be two years. In the event that any Parent Council member position becomes vacant for any reason, IEM shall forthwith appoint a qualified parent of an SMCS student to fill that member position until the next election for that member position occurs.

Elections for Parent Council Members shall be held during May of each year. Each election shall be by electronic ballot. Each family having one or more student(s) enrolled in SMCS on the date of the elections shall be entitled to one vote per enrolled student for each Parent Council member position open for election. No more than one parent from any family may serve as a Parent Council member at any time.

The number of Parent Council member positions for each academic year shall be determined by the number of students enrolled in SMCS as of the date of the Parent Council election, as follows: 1-500 students, 11 member positions; 501-1000 students, 15 member positions; 1000-1500 students, 19 member positions; 2000+ students, 23 member positions. In May of each academic year, elections shall be held for every incumbent Parent Council member position that has been occupied for two years by an elected member or a successor appointed to complete that member's term, together with every new Parent Council member position created by increased student enrollment, if any.

A quorum of Parent Council members necessary for the transaction of business shall be a simple majority of Parent Council member positions. All business of the Parent Council shall be by the majority of the quorum of members attending a Parent Council meeting, and shall be conducted according to bylaws consistent with this charter provided by IEM. The School's President, its Secretary, and all other appropriate officers thereof, shall be appointed by IEM. The President, or his/her designee, shall preside, but not vote, at all Parent Council meetings. Each Parent Council member will each be a part of at least one school committee responsible for the following: WASC accreditation, student Field Trip activities, fundraising events, evaluative testing volunteer services, and the yearly graduation ceremony and other school events and activities approved by assigned administrative staff. Additionally, the Parent Council will perform any other function as directed or requested by IEM.

### **The Governing Board**

SMCS shall have a Governing Board consisting of five members from the Parent Council which shall be selected and appointed by IEM and approved by the Parent Council. All vacant seats on the Governing Board shall be filled by Parent Council members appointed by IEM which shall serve until permanent members are approved by the Parent Council. The function of the Governing Board will be to review and approve all policies or other matters which by statute or regulation require Governing Board approval, or any other matter as directed or requested by IEM. The term of office for Governing Board members shall be one year pursuant to bylaws consistent with this charter provided by IEM.

### **The Brown Act**

All meetings of Governing Board shall comply with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Division 2 of Title 5 of the Government Code), shall take place at least semi-annually, and shall be held at a location within the sponsoring district.

### **Parental Involvement Ensured**

The charter school practices and policies will ensure parental involvement in student education through the provisions of this charter, through specific parent/student contracts required by law relating to each non site-based independent study classroom practices, curricula, and otherwise, and through participation with the Parent Council and Governing Board in fulfilling the responsibilities and activities as specified herein.

### **Sponsoring District Liability**

As outlined in Education Code section 47604(c), the Lucerne Valley Unified School District, as the authority that grants a charter to a charter school to be operated by, or as a nonprofit public benefit corporation, shall not be liable for the debts or obligations of the charter school. IEM shall insure that SMCS maintains a comprehensive range of insurance coverage, commensurate with that of other public schools of similar type and size, to protect both the School and the sponsoring district. Details of this policy will be outlined in a Memorandum of Understanding ("MOU") between IEM and the sponsoring district and a copy of this insurance policy will be available to the sponsoring district for review at their request.

## **ELEMENT FIVE: EMPLOYEE QUALIFICATIONS**

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

### **Qualifications of School Employees**

The Administrators within the academic departments will be responsible to ensure that all teaching staff meet the appropriate state and federal charter school requirements for general education and special education respectively. All charter school students are assigned to an Education Specialist who shall hold a current California Teaching Credential, permit, or other document equivalent to that which a teacher in other public schools would be required to hold, as outlined in the [Administrator's Assignment Manual](#). The school may hire additional certificated and non-certificated personnel to assist in providing supplementary instruction, management and support services upon approval from the IEM Human Resources department or CEO. All staff of SMCS will have the necessary qualifications, skills, experience, certification, and credentials to fulfill the duties outlined in their job descriptions. These documents and job descriptions shall be maintained on file at the IEM HR Department and shall be subject to periodic inspection upon request by the District.

### **Compensation and Benefits**

Education Specialist (ES) compensation will be based on the number of active students assigned to the ES for each official school day, the grade levels served, the years of service with an IEM school, and the school's current per student per day rate. All other staff will be compensated equitably and fairly based on market competitive rates. The charter school will offer medical, dental and vision healthcare insurance for eligible full-time employees (definition will be determined by the legal requirement for charter schools).

### **Employee Representation**

All employees of SMCS shall be employees of the charter school and not employees of any District or the SBE for the purposes of AB 631. This charter school shall be deemed the exclusive public school employer of the employees of SMCS for the purposes of the Education Employment Relations Act Section 3540.1 of the Government Code.

## **ELEMENT SIX: HEALTH AND SAFETY POLICIES**

*Governing Law: The procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the school furnish the school record summary as described in Section 44237. --California Education Code Section 47605(b)(5)(F)*

SMCS shall comply with all of the requirements of Education Code Sections 47605.(b) (5) (F), 44237, and 32282 to ensure the safety of employees and students. SMCS will comply with all applicable laws, including the Family Education Rights and Privacy Act, concerning immunization, health and safety, first aid, child abuse reporting and related issues for both employees and students. All employees of SMCS will furnish criminal record summaries in accordance with Education Code section 44237.

The Comprehensive School Safety Plan for SMCS is attached as Appendix C and is in full compliance with the corresponding language required in AB 1747, which references the education codes listed above.

## **ELEMENT SEVEN: RACIAL AND ETHNIC BALANCE**

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

### **Non-Discrimination**

The means by which the charter school will achieve a racial and ethnic balance among its students that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition was submitted will consist of public announcements of the school's program that will neither encourage nor discourage any particular racial or ethnic group from gravitating to the charter school. SMCS will maintain information concerning the ethnicity of all SMCS students, and if the balance is not reflective of that of the sponsoring district, a committee of school parents, teachers and SMCS staff will meet to discuss the imbalance and explore available options, which may include additional outreach initiatives, to remedy the situation.

## **ELEMENT EIGHT: ADMISSIONS REQUIREMENTS**

*Governing Law: Admissions requirements, if applicable. --California Education Code Section 47605 (b)(5)(H) and AB 1360*

SMCS is non site-based independent study educational program. Pursuant to applicable law, students qualified under relevant statute(s) and regulation(s) will be considered for admission without regard to ethnicity, national origin, gender, and disability or achievement level. Admission will not be determined according to the place of residence of the student or parents, except as required by law. Prior to admission, each student's parent(s) or guardian(s) must sign a written agreement regarding the charter school outcomes, philosophy, program, and any other applicable requirements including special education services offered by the charter school. All students' continued enrollment shall depend upon them fulfilling the terms of the written agreement.

Charter schools are schools of choice. All students in the Lucerne Valley Unified School District, neighboring districts and TK-12 students residing in counties contiguous with and including San Bernardino County are eligible to attend SMCS.

SMCS will be open to all TK-12 students, including those with special education and Section 504 needs. SMCS will support the administration of special education services and will participate with the SELPA in mandated Child Find responsibilities. SMCS staff will be instructed regarding mandated Special Education Child Find responsibilities and referral procedures.

The charter school shall comply with all laws establishing minimum age for public school attendance. For a maximum age limit, the school shall allow only pupils over 19 years of age to attend if they have been continuously enrolled in public school since age 18 and continue to make satisfactory progress towards a high school diploma, or, in the case of qualified children with disabilities, as required by law.

### **Public Random Drawing**

In the event that the number of students who wish to attend the school exceed the school's capacity, a lottery system will be used to determine those selected to attend. Admission preference will be given first to siblings of current students and to those students residing within Lucerne Valley Unified School district boundaries and then to students who live in other communities and counties served by the school.

### **ELEMENT NINE: INDEPENDENT FINANCIAL AUDITS**

*Governing Law: The manner in which, 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 authorizer. --California Education Code Section 47605 (b)(5)(I)*

IEM will cause an annual financial audit of the charter school to be conducted by an independent auditor, employing generally accepted accounting principles and experienced in state charter school law. Audit reports will be completed and available for review by the public and submitted to the District Board of Trustees following the protocol established by the district for such audits. All audit exceptions and deficiencies will be resolved as determined by state law and this charter. Procedures and/or processes that caused the exceptions and/or deficiencies will be modified by IEM to meet the auditor's specifications and such modifications will be sent to the District Board of Trustees within three (3) months of the auditor's report.

As outlined in 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 its chartering authority or from the Superintendent of Public Instruction and shall consult with the chartering authority or the Superintendent of Public Instruction regarding any such inquiries.

## **ELEMENT TEN: SUSPENSION AND EXPULSION PROCEDURES**

*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.*

*--California Education Code Section 47605 (b)(5)(j)*

This Pupil Suspension and Expulsion Policy has been established to promote learning and protect the safety and wellbeing of all students and staff in SMCS. Although many of the students of the school will work from home, this policy is written broadly to apply as needed to students at school-sponsored activities or at school facilities.

A student identified as an individual with disabilities or for whom the school has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to regular education students except when federal and state law mandates additional or different procedures. The school's Special Education Director shall be consulted in all cases of potential suspension or expulsion relating to Special Education students to ensure compliance with all applicable statutes.

### **Enumerated Offenses**

Students may be suspended or expelled from SMCS for:

- any act specified in [Education Code 48900](#),
- non-compliance with the terms of the written student agreement,
- or any material violation of any of the conditions, standards or procedures set forth in the charter, the school handbook, the student agreement, or the school's policies and procedures.

[Education Code 48915](#) lists the non-discretionary and discretionary offenses for suspension and expulsion that SMCS will follow.

### **Suspension/Expulsion Procedures**

Based on information regarding student behavior or performance as specified above, SMCS will send a suspension or expulsion notice to the student's parent(s) or guardian(s). The notice will include an explanation of the charges against the student and the student's basic rights. For suspensions of fewer than ten (10) days, if the pupil denies the charges, the school will provide an explanation of the evidence that supports the charges and an opportunity for the pupil to present his or her side of the story.

For suspensions of ten (10) days or more, or an expulsion, the parent(s) or guardian(s) of a student may request a hearing where the parent and the student shall be given an opportunity to participate and present facts relevant to the issues set forth in the notice.

At the hearing, the student will be provided a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and the student will have the right to bring legal counsel or an advocate. In the event of any such request, an assigned school administrator shall appoint a Hearing Committee composed of five (5) members consisting of one teacher, one advisor and a member of the Governing Board which shall conduct a hearing regarding the notice. After the hearing, The Hearing Committee shall send its recommendation to the assigned school administrator and the district liaison. The assigned school administrator and district liaison, together,

will make all final decisions concerning suspension, expulsion, or reinstatement of suspended or expelled students. In the event of a student's expulsion, SMCS will notify the student's district of residence of the student's expulsion.

An expelled student shall have no right to appeal and the expulsion decision shall be final.

In the event of a student's expulsion, SMCS will notify the Superintendent of the school district of the student's last known address within thirty (30) days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil. Expelled students who are subject to compulsory full-time education pursuant to [Education Code 48200](#) have a duty to attend the school district in which the parent or guardian resides.

No student shall be involuntarily removed by the 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 (5) school days before the effective date of the action. The written notice shall inform him or her of the right to initiate the procedures specified above for suspension/expulsion before the effective date of the action. If the student's parent, guardian, or educational rights holder initiates the procedures specified above, the student shall remain enrolled and shall not be removed until the school issues a final decision.

#### **ELEMENT ELEVEN: RETIREMENT SYSTEMS**

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

Employees of SMCS shall participate in STRS, PERS, or Social Security depending upon eligibility with the corresponding agency.

#### **ELEMENT TWELVE: PUBLIC SCHOOL ATTENDANCE ALTERNATIVES**

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

Enrollment at this charter school is entirely voluntary for all students. Attendance at district of residence public schools shall be an option for all students who do not choose to attend this charter school.

#### **ELEMENT THIRTEEN: EMPLOYEE RETURN RIGHTS**

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

Persons employed by SMCS shall not be deemed to be employees of the sponsoring district for any purpose whatsoever. All employees leaving the district to work at SMCS shall enjoy the same employee benefits as all other employees of SMCS with similar job classifications.

## **ELEMENT FOURTEEN: DISPUTE RESOLUTION**

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

Any dispute between IEM or SMCS and the sponsoring district (collectively "the Parties") shall be resolved in accordance with the following procedure. The term dispute means a disagreement regarding any alleged violation, interpretation, or application of a specific provision of this Charter or any MOU between the parties, which does not constitute a severe and imminent threat to the health and safety of pupils. The parties will first attempt to resolve disputes between themselves by discussion and agreement between the District Superintendent or designee and the district liaison of SMCS within thirty (30) days of any party identifying any such dispute in a written notice sent to all other parties. If the parties are unable to reach agreement, the dispute shall be referred to non-binding mediation before a single neutral mediator. A request for mediation shall be in writing and must be served on the non-requesting party no later than fourteen (14) calendar days from the date the parties last met to discuss the dispute but were unsuccessful in reaching an agreement. A request for mediation shall succinctly state the nature of the dispute and the relevant provisions of the Charter and/or MOU. The mediator shall be selected by mutual agreement. The mediation shall commence within thirty (30) calendar days from the date of receipt of the request for mediation, unless extended by mutual agreement for the convenience of the parties and/or mediator. The costs of mediation shall be borne equally by all of the parties. No party shall commence any litigation or other administrative action in connection with any dispute relating to this Charter or any MOU between the parties without first exhausting this dispute resolution procedure.

All matters not resolved by agreement or mediation as provided herein shall be submitted to binding arbitration before a panel of three arbitrators. Each party shall select one arbitrator, and the two arbitrators selected by the parties shall select a third arbitrator who shall preside over the arbitration panel.

## **ELEMENT FIFTEEN: CLOSURE PROCEDURES**

*Governing Law: A description of the procedures to be used if the charter school closes. The procedure shall ensure a final audit of the 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. --California Education Code Section 47605 (b)(5)(O)*

In the event SMCS closes, IEM shall document and effect its closure by official action which shall identify the reason for the closure. IEM shall promptly notify the District and SMCS students and parents of the official action and the effective date of the school closure. SMCS shall provide information to assist parents and students in locating suitable alternative educational programs.

As applicable and consistent with statute, SMCS will provide parents, students, and/or the District or subsequently selected school(s) with all appropriate student records and will otherwise assist students in transferring to their next school(s). All transfers of student records will be made in compliance with the Family Educational Rights and Privacy Act (FERPA) 20 U.S.C. §1232g. As soon as reasonably practicable, IEM will prepare final financial records and shall commission an independent audit by a

qualified Certified Public Accountant paid for by SMCS to determine the disposition of all assets and liabilities of SMCS. The results of the audit shall be forwarded to the District upon completion.

Upon the school's closure, all assets of the School, including but not limited to all leaseholds, personal property, intellectual property and all accrued ADA apportionments and other revenue generated by students attending SMCS shall remain the sole property of the charter school subject to all audited and verifiable claims documented in the final audit as provided herein. In the event that charter school is dissolved, all such property shall be distributed in accordance with applicable state law.

### **Revoking the Charter [Ed Code Section 47607(c)(1)].**

The District Board of Trustees may revoke the Charter if it finds that SMCS did any of the following:

1. Committed a material violation of any of the conditions, standards, or procedures set forth in the charter or MOU.
2. Failed to meet or pursue any of the pupil outcomes identified in the Charter.
3. Failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.
4. Violated any provision of law.

## **MISCELLANEOUS PROVISIONS**

### **Budgets**

Attached as Appendix A please find the 2018-19 Second Interim Budget including the next two fiscal years and two year cash flow.

### **Financial Reporting**

The school will complete and file any annual reports required pursuant to Education Code Section 47604.33. In addition, IEM shall provide a monthly report to the authorizer summarizing the year-to-date activities of the school.

### **Administrative Fees**

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

### **Mandated Costs**

Though under California Law SMCS may not be required to meet the same health, safety, and welfare requirements for its students as mandated for non-charter public schools, IEM, on behalf of SMCS, reserves the right to do so if it determines that such will best provide for SMCS' students' health, safety or welfare, but shall not be required to do so unless specifically mandated by law. SMCS shall comply with all state mandates required for Non-Classroom Based Instruction and Independent Study based charter schools.

SMCS reserves the right to directly file with the State of California or other applicable governmental agency(s) requests for state mandated cost reimbursement. In the event that through the operation of

law or otherwise Sky Mountain Charter School is prevented from either filing its request for mandated cost reimbursement directly with the State of California or other applicable governmental agency (s) or receiving reimbursement for such state mandated costs from the State of California or other applicable governmental agency (s) through direct application therefor, then Sky Mountain Charter School may submit its mandated cost reimbursement requests to the District, and the District shall include such requests with its own requests for mandated cost reimbursement. Upon receiving reimbursement for any Sky Mountain Charter School mandated costs, the District shall forward such reimbursement to Sky Mountain Charter School after deducting therefrom all documented costs of processing.

It is the express intent of Sky Mountain Charter School to file directly for reimbursements. If a reimbursement claim can only be filed through the sponsoring district, the sponsoring district agrees to fold the Charter School claim into its claim and pass through the Charter School funds when received.

Eligible expenses which the sponsoring district incurs as a result of current charter school law, subsequent charter school legislation, or CDE interpretations of these laws are not the responsibility of the Charter School and should be addressed by the sponsoring district through the State's Mandated Cost Reimbursement Program.

## **CIVIL LIABILITY IMPACT**

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

### **Impact on the Charter Authorizer**

Impact upon the charter authorizer shall be minimal. IEM shall provide or cause to be provided to the District all reports and oversight documents in the type and format requested.

### **Services obtained from Charter Authorizer**

Details of any business or administrative services, special education services, costs and funding between the district and SMCS shall be detailed in the MOU. In the event of changes to state law or regulations applicable to charter schools enacted subsequent to granting this Charter, which are inconsistent with but applicable to the terms of this Charter, the parties agree to amend this Charter and any applicable MOU provisions to accord with any such changes.

## **Facilities**

*Governing Law: The facilities to be utilized by the school. The description of the facilities to be used by the charter school within the District attendance boundaries. --California Education Code Section 47605 (g)*

The local office of SMCS shall be in Lucerne Valley, CA and its administrative office shall be located at the IEM offices in Placerville, California, or at such other location as IEM may subsequently designate.

## CONCLUSION

By renewing this charter, Lucerne Valley Unified School District will be fulfilling the intent of the Charter Schools Act of 1992 to:

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

The term of the charter shall be five years from July 1, 2020 through June 30, 2025. The District Board of Trustees must act to renew or not renew this Charter no later than six (6) months prior to the date this Charter expires. The standards and criteria in Education Code Sections 47605 and 47607 shall govern future renewal of the charter as applicable.

### APPENDIX A

[July 2019 Budget](#)

### APPENDIX B

[2019-20 Local Control and Accountability Plan \(LCAP\)](#)

### APPENDIX C

[School Safety Plan](#)