



Fuente Nueva Charter School  
1730 Janes Road  
Arcata, CA 95521  
707-822-3348

July 1, 2015- June 30, 2020 Renewal Petition

Respectfully submitted to Arcata Unified School District on May 11, 2015.

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## Introduction

### Charter Renewal Term

Governing Law: CA Education Code 47607(a) (1) (2)

A charter may be granted pursuant to Sections 47605 ... for a period not to exceed five years. A charter granted by a school district governing board, a district board of education or the State Board of Education, may be granted one or more subsequent renewals by that entity. Each renewal shall be for a period of five years. A material revision of the provisions of a charter petition may be made only with the approval of the authority that granted the charter. The authority that granted the charter may inspect or observe any part of the charter school at any time.

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

Fuente Nueva Charter School requests a charter renewal term of five years, from July 1, 2015 through June 30, 2020.

### Charter Renewal Criteria

Evidence of Meeting Charter Renewal Standards Pursuant to Education Code Section 47607(b) and the California Code of Regulations, Title 5, Section 11966.4(b)(1)

Education Code Section 47607(b) requires that a charter school must meet at least one of the following renewal criteria prior to receiving a charter renewal:

- (1) Attain its Academic Performance Index (API) growth target in the prior year or in two of the last three years, both schoolwide and for all groups of pupils served by the charter school
- (2) Rank in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.
- (3) Rank in deciles 4 to 10, inclusive, in the API for a demographically comparable school in the prior year or in two of the last three years.
- (4) The entity that granted the charter must determine that the academic performances of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.

The following shall serve as documentation confirming that Fuentes Nueva exceeds the statutory criteria required for renewal as set forth in Education Code Section 47607(b):

Fuente Nueva has met its AYP goals for the last three years fiscal years for which data were collected, and per the California Department of Education, since the target was met in 2012-13, it can be considered met in 2013-14 as well, though STAR testing was not done that year. Therefore, according to direction from the CDE, the charter can be considered to have met the growth target in all three years. An additional criteria, that of falling into the 4-10 deciles, was also met in all three years, with a decile 7 in each year and an API in excess of 800 in all three years. (See appendix for supporting documentation)

## General Information

Fuente Nueva Charter School began operation in August of 2005. Currently our Full Spanish Immersion program serves 115 students, grades kindergarten through fifth grade, who come from both our local and surrounding communities.

Contact Person	Beth Wylie
Address	1730 Janes Road, Arcata, CA 95521
Phone number	707-822-3348
Email Address	<a href="mailto:bwylie@fuentenueva.org">bwylie@fuentenueva.org</a>
School website	<a href="http://apps.humboldt.k12.ca.us/sites/fuentenueva/">http://apps.humboldt.k12.ca.us/sites/fuentenueva/</a>
Grade Configuration	Kindergarten – 5 <sup>th</sup> grade
Term of this charter renewal	July 1, 2015 – June 30, 2020
Original Charter	June 13, 2005 - June 30, 2010

## Fuente Nueva Charter School Accomplishments and Achievements

### Pathway School for the State Seal of Biliteracy

Fuente Nueva is proud to be a part of the movement to promote biliteracy by offering a full Spanish Immersion school for elementary aged students. Following the guidelines offered by the California Department of Education, we now offer a Pathway to the State Seal of Biliteracy Award. Students who exit the program at fifth grade are given an opportunity to apply for a Pathway to Biliteracy Achievement Award. This application process ensures that students are meeting proficiency levels in both English and Spanish in all subject areas. We also recognize the required student's effort that is inherent to an immersion program by offering a Pathway to Biliteracy Participation Award to every child who exits the fifth grade.

### Student Achievement

The achievement of our students is wonderful evidence of the effectiveness of immersion education. The rigor necessary to learn all core content areas in a second language is an embedded benefit to immersion education. Students are challenged to use their critical thinking skills as they learn a new language and academic concepts concurrently. This additional rigor contributes to our students overall academic success. This is evidenced in the results of our annual state-wide testing scores. Fuente Nueva has a three year weighted API score of 841. This is well above the state-wide target of 800. In ten years of operation, our scores have been at this level or better. We are proud of this accomplishment and look forward to five more years of high student achievement.

The arts are core to our program at Fuente Nueva. We have long participated in a wide variety of student art and writing contests. It is with pride that we have had many students qualify for awards such as First Place in the Godwit Days Art Contest. In addition, we have multiple students published in poetry and short story books.

### Community Partnerships

We are located in the rural area known as the beautiful North Coast. We are fortunate to have access to multiple community partners that have provided everything from funding to volunteers, to access to outdoor education. It is through these partnerships that we have been able to offer a well-rounded Spanish immersion program.

Fuente Nueva has been fortunate to receive grants from organizations such as Wells Fargo Bank, Humboldt Area Foundation, The North Coast Co-Op, and the Harper Family Foundation. These funds have provided our students access to quality playground equipment, a school garden, field trips to State Parks and more. In addition, we have been able to match funds to provide quality professional development opportunities in immersion education to all of our teachers.

Partnerships with organizations such as AmeriCorps has brought our area's young adults to our school to mentor our students. AmeriCorps has provided everything from wetlands education to direct mentoring of students in need. We have also partnered with several local organizations that provide access to local treasures such as the Manila Dunes, one of the largest natural dune areas remaining in California. These organizations include Friends of the Arcata Marsh, Friends of the Dunes, and the Redwood Audubon Society.

In addition to local organizations our partnership with Humboldt State University provides opportunities for native Spanish speakers to volunteer in our classrooms. This support enables the teacher to provide small group and 1-1 support to students. In addition, the HSU students share their cultural background and language which deepens our own students' value of bilingualism.

### Extended Day Program

The non-profit organization of the school sponsors the before and after school program entitled "Fuente Nueva Extended Day Program." All enrolled students in an Arcata School District school or Charter School are welcome to attend. The program will run one hour prior to the school day and from student dismissal until 5:30 PM on all regularly scheduled school days. Summer Day Camp programs may be provided based on need and staffing. The program will focus on the needs of the whole child. The Extended Day Program will include a wide variety of enrichment activities, time to do homework, and homework support surrounded by lots of free choice time. Furthermore, it will provide an environment where children have a strong voice and use compassionate communication to create a positive community experience. The non-profit organization of the school provides oversight and financial audits of the program.

### Affirmation and Assurances

As the authorized lead petitioner I, Beth Wylie, hereby certify that the information submitted in this petition for the renewal of Fuente Nueva Charter School, located within the boundaries of the Arcata Unified School District is true to the best of my knowledge and belief; I also certify that this petition renewal does not constitute the conversion of a private school to the status of a public charter school; and further, I understand that if awarded a charter, the Charter School will follow any and all federal, state, and local laws and regulations that apply to the Charter School, including but not limited to:

- The Charter School shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(c)(1)]
- The Charter School shall be deemed the exclusive public school employer of the employees of Fuente Nueva Community Charter School for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(b)(5)(O)]
- The Charter School shall be nonsectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]
- The Charter School shall not charge tuition. [Ref. Education Code Section 47605(d)(1)]

- The Charter School shall admit all students who wish to attend the Charter School, and who submit a timely application; unless the Charter School receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random drawing process. Except as required by Education Code Section 47605(d)(2), admission to the Charter School shall not be determined according to the place of residence of the student or his or her parents within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(d) (2) (B). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code Section 47605(d)(2)(C). [Ref. Education Code Section 47605(d)(2)(A)-(B)]
- The Charter School shall not discriminate on the basis of the characteristics listed in Education Code 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. Education Code Section 47605(d)(1)]
- The Charter School shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities in Education Improvement Act of 2004.
- The Charter School shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]
- The Charter School shall ensure that teachers in the Charter School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. As allowed by statute, flexibility will be given to noncore, non-college preparatory teachers. [Ref. California Education Code Section 47605(l)]
- The Charter School shall at all times maintain all necessary and appropriate insurance coverage.
- The Charter School shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a) (1) (A)-(D).
- If a pupil is expelled or leaves the Charter School without graduating or completing the school year for any reason, the Charter School shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information. [Ref. California Education Code Section 47605(d)(3)]
- The Charter School shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. California Education Code Section 47612.5(a)]
- The Charter School shall on a regular basis consult with its parents and teachers regarding the Charter School's education programs. [Ref. California Education Code Section 47605(c)]
- The Charter School shall comply with any jurisdictional limitations to locations of its facilities. [Ref. California Education Code Section 47605-47605.1]
- The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. California Education Code Section 47612(b), 47610]
- The Charter School shall comply with all applicable portions of the No Child Left Behind Act.
- The Charter School shall comply with the Public Records Act.
- The Charter School shall comply with the Family Educational Rights and Privacy Act.
- The Charter School shall comply with the Ralph M. Brown Act.
- The Charter School shall meet or exceed the legally required minimum of school days. [Ref. Title 5 California Code of Regulations Section 11960]

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Beth Wylie  
Charter Director

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Date (the day you submit)

## Element 1: Educational Philosophy and Program

### Governing Law:

CA Education Code 47605 (b) (5) (A)

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

(ii) 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.

### Mission and Core Values

The Fuente Nueva Charter School Mission is to empower kindergarten through fifth grade students to become engaged world citizens through a challenging and creative Spanish immersion program that emphasizes academic excellence, the arts, community involvement, and social responsibility.

- A supportive and stimulating academic environment that nurtures the whole child
- Multilingual communication abilities and appreciation
- Empathy, compassion, and respect for cultural and ecological diversity
- A lifelong love of learning
- Collaboration and teamwork among community members

### Educational Philosophy

At the core of our values and mission we aim to empower students to become engaged world citizens in an enriching program that meets the needs of the whole child. A culturally and artistically rich Spanish immersion program provides the foundation to this effort. As a program that values academic excellence we provide a balance between Spanish language instruction, core academics, the arts, and character studies. In the primary grades, students study citizenship and progressively build their skills until in the upper grades they participate in the global community in a variety of positive ways. Proficiency in two languages and an understanding of the diverse world cultures provides students a platform for success as a 21<sup>st</sup> century learner.

Each classroom teacher brings their own talents and strengths to the classroom in order to carry out the mission of our school. The core values are threaded throughout all classroom instruction. State-adopted and teacher created curriculum is used during Language Arts, Math and Science. Social Studies is taught following the state standards using materials from a variety of sources including teacher created curriculum, library and pre-made programs. Teachers also use many resources to provide Spanish language instruction including state adopted curriculum, teacher created materials and a variety of pre-made programs. Arts instruction and physical education are not only their own subjects taught by specialty teachers but are also threaded through the core-curriculum on a daily basis.

While each classroom has its own unique environment teachers work closely to unify our approach across the grades. We are continuously coordinating efforts to ensure a smooth transition from one grade level to the next. Weekly staff meetings and a small teaching staff enable a successful shared leadership for this goal.

Parent feedback and involvement in the educational program is always welcomed and encouraged through a variety of means including committee work, coffee with the director sessions and individual contributions from parents and community members. Collaboration and teamwork are also an essential part of every student's experience at Fuente Nueva. Teachers use ability based grouping to provide an opportunity for students to excel at their own level. It is also equally as common for teachers to incorporate cross-ability tutoring and group work to enable the students involved to strengthen their understanding of a concept by teaching or learning from a peer.

Our students are held to high behavioral expectations by instilling a value of respect for oneself, for others and for our school. Students learn to celebrate personal academic success, respect for our environment and random acts of kindness. Students become self-motivated competent learners in the rich and engaging classroom environment. This enables all Fuente Nueva students to develop a life-long love of learning.

As an immersion program we provide an education in which the students acquire the language while being taught core curriculum content. Core content lessons are used as the vehicle for language acquisition in Spanish. Lessons include language objectives in addition to the content objectives. Furthermore, Spanish language development is taught in each grade level and language arts is taught in Spanish in kindergarten and first grade.

Our program presentation is based on the National Standards in Foreign Language Education put forth by the Standards for Language Learning (SLL) in the 21<sup>st</sup> Century (The U.S. Department of Education and the National Endowment for the Humanities; National Standards in Foreign Language Education Project, 2006). The overriding philosophy of the SLL is that our "nation must educate students who are equipped linguistically and culturally to communicate successfully in a pluralistic American society and abroad." The SLL document envisions a future in which all students develop and maintain proficiency in English and at least one other language. The most outstanding aspect of the aforementioned philosophy is summed-up by the idea of knowing how, when, and why to say what to whom. This concept goes beyond grammar and vocabulary but also includes multicultural awareness of world diversity.

Of the many benefits for the student in a language immersion program the greatest is that the child will emerge from the program with proficiency in two languages. If the student continues their studies beyond Fuente Nueva they are likely to become fully bilingual. The language immersions classroom prepares the 21<sup>st</sup> century learner by teaching the keys to successful communication by knowing how, when and why to say what to whom. As world citizens we can broaden our experiences and knowledge by acquiring the ability to understand and be understood in multiple languages. Furthermore, research concludes that students who study a second language at an early age have a distinct advantage over students who begin later.

Another benefit to learning a second language is that it improves a child's understanding of their own language and culture. As the students acquire language structure in their second language they are continuously making comparisons between their native language and the target language. This strengthens students' critical thinking skills and helps them learn strategies such as paying close attention to cognates, context clues and patterns. Learning to make connections while scaffolding their understanding from what they already know builds essential and valuable learning skills. Immersion students are also known to develop a greater flexibility in thinking and problem solving skills.

Finally, when teaching in the immersion classroom, the teachers use a variety of learning strategies that meet the needs of the diverse learning styles present in any classroom. In this way the students are largely supported to access core content in the immersion classroom, despite the second language. The child-centered environment incorporates strategies such as Total Physical Response, Think Pair Share, KWL charts, Regalia, and manipulatives. Each of these strategies lowers the students' affective filter and provides direct support in accessing the core instruction.

21<sup>st</sup> Century learners are given opportunities to develop their relationship with technology through engaging classroom projects and activities throughout their schooling starting in 1<sup>st</sup> grade. Students are exposed to the basic functions of a computer including keyboarding and mouse use, internet research and resources, communication through the World Wide Web, word processing, presentations and publications. Students become comfortable with technology, learning how to problem solve as situations arise.

A positive school culture and community experience for all involved is at the heart of Fuente Nueva. There are many ways to promote a cohesive community in which its members are respected as individuals and /supported as a whole being. It is the intention of this school to continue to work together as administrator, teachers, staff, charter council, parent teacher organization and parents to provide our students with a well-rounded education in character traits and citizenship. A multidirectional approach will be taken to ensure this is an integral part of the program. School-wide behavior expectations, weekly character word lessons, class meetings, a peace table for conflict resolution are just a few examples of what our program currently includes.

Through multiple measures of assessment, the school will continually evaluate the health of the school culture and find ways to improve and evolve to meet the needs of the changing student population. In a cycle of continuous improvement, teachers follow the research based curriculum and add in their own personalized touch to meet the needs of their particular cohort of students. Regular and ongoing assessment allows teachers to measure student performance and adjust instructional planning based on student need.

### How Learning Best Occurs

We are an academically rigorous school that values community, fosters social responsibility, and develops well-rounded students who are prepared for the challenges of the 21<sup>st</sup> century. We are committed to providing instruction that incorporates best practices for meaningful learning. We embrace our Core Values that reflect the mission and vision of our learning community. We believe these core values to be essential components of an optimal learning environment. Our five core values function as the foundation upon which we structure our daily instruction to achieve student success academically, socially, and emotionally. These core values are the guiding force in operating a school that meets the needs of 21<sup>st</sup> century learners.

The Core Values of Fuente Nueva Charter School are:

- A supportive and stimulating academic environment that nurtures the whole child
- Multilingual communication abilities and appreciation
- Empathy, compassion, and respect for cultural and ecological diversity
- A lifelong love of learning
- Collaboration and teamwork among community members

We are dedicated to helping every student achieve academic success. Our educators utilize research-based best practices daily to ensure that our instruction is meeting the needs of every child and every child is learning. We are committed to creating an environment where all students are engaged in an appropriately ambitious and rigorous course of study, and that high standards of performance are clear and consistent. The conditions for learning are modified and differentiated according to student needs. We firmly believe that our instructional approach will result in all students being prepared for success in the workplace, postsecondary education, and their civic responsibilities. Below we have outlined the building blocks that will establish Fuente Nueva Charter School as a school of academic excellence.

## Student Achievement

In recognition that every student learns at a different pace and capability, we have the following services in place for students who are not meeting grade-level expectations. These services are further defined in later in the charter petition.

### At-risk Student Response to Intervention Program

- Tri-annual student data collection to achieve consistent student progress monitoring
- Tri-annual educational team meetings held for the purpose of identifying at-risk students
- Referral to Student Success team meetings as needed
- Speech screenings for students of concern beginning in kindergarten
- School Counselor services
- Implementation of student Response to Intervention services
  - Push-in and pull-out services offered daily
  - After school tutoring by classroom teacher
- Referral to Special Education as needed
- Referral to School Counselor as needed

### Differentiated Instruction

- Small group instruction
- Tiered Assignments
- Classroom paraprofessionals
- On-going formative assessment
- Systematic summative benchmark assessment using curricular and teacher created materials

## Educated Person in the 21st Century

We strive to ensure that all of our students develop the skills and behaviors necessary for academic, personal, and professional success in the 21<sup>st</sup> century. Research at the Massachusetts Institute of Technology urges educators to foster a wide and diverse range of skills, traits, and characteristics in students. We embrace the educational need for change and commit ourselves to educating students to develop the following characteristics:

- strong knowledge of academic content
- problem solving capability
- creativity and the ability to work with multiple ways of representation
- motivation to learn, intellectual independence, and ability to self-educate
- communications skills (oral, written, teamwork, and interpersonal skills)
- global awareness, vision, a sense of human responsibility and ethics

Our high-quality instruction, community based programs, focus on social responsibility, and enriched learning environment empowers students to be self-motivated, compassionate, lifelong learners prepared for success in all aspects of life.

The language immersions classroom prepares the 21<sup>st</sup> century learner by teaching the keys to successful communication by knowing how, when and why to say what to whom. As world citizens we can broaden our experiences and knowledge by acquiring the ability to understand and be understood in multiple languages. Furthermore, research concludes that students who study a second language at an early age have a distinct advantage over students who begin later.

21<sup>st</sup> Century learners are given opportunities to develop their relationship with technology through engaging classroom projects and activities throughout their schooling starting in 1<sup>st</sup> grade. Students are exposed to the basic functions of a computer including keyboarding and mouse use, internet research and resources, communication through the World Wide Web, word processing, presentations and publications. Students will become comfortable with technology, learning how to problem solve as situations arise.

Students to be served

Fuente Nueva is a small K-5 public charter school that offers a full Spanish immersion program serving children in Arcata and the surrounding communities. Our current enrollment is approximately 90 students with a target full enrollment of 110-125 students.

Fuente Nueva does not discriminate based upon race, religion, ethnicity, national origin, gender, gender identity, culture, disability, sexual orientation or any additional legally protected subgroup by federal or state law. Students from diverse ethnic and socioeconomic and geographical backgrounds are encouraged to attend.

Parents interested in enrolling their children at Fuente Nueva are asked to consider making a commitment to continuous enrollment through our entire elementary program in order to gain the best academic results for their child. Immersion research shows that continuing in an immersion program through the highest grade offered in the school gives students the opportunity to gain the optimum results from a program such as ours.

Community Profile

Fuente Nueva Charter School is located on the edge of what is known as the Arcata Bottoms, a flat farming area of the city that leads up to the dunes. We are bordered by farmland, a neighboring school and small residential neighborhoods on either side. Arcata is home to Humboldt State University, which offers a diverse set of programs including teacher credentialing. With an overall population of just under 18,000 people, the city has a demographic with an overwhelming majority of white citizens. We are fortunate to attract members of minority communities including Latinos who are interested in giving their child access to learn their heritage language. Arcata is located in a rural area of the North Coast, amidst the beautiful Redwood Forests, the Pacific Ocean coastline, the Humboldt Bay and many more natural wonders. We are fortunate to have this rich outdoor classroom in our backyard. Our student population is a combination of residents from Arcata and the surrounding communities.

Fuente Nueva Charter School Enrollment and Demographics Report, 2013-14

School	K	1st	2nd	3rd	4th	5th	Enrolled
Fuente Nueva Charter	22	22	19	18	14	8	103
Grades	Enrollment	African-American not Hispanic	American Indian or Alaska Native	Asian	Hispanic or Latino	Pacific Islander	
K-5	103	1%	0	2.9%	12.6%	0	
Grades	Enrollment	White not Hispanic	Two or More Races	None Reported (Ethnicity)	English Learners	Free & Reduced Price Meals	
K-5	103	69.9%	6.8%	6.8%	8.7%	37.9%	

Arcata Elementary School (A school that Fuente Nueva Charter School may otherwise attend.)  
 Enrollment and Demographics Report, 2013-14

School	K	1st	2nd	3rd	4th	5th	Enrolled
Arcata Elementary	55	58	48	48	48	54	311

  

Grades	Enrollment	African-American not Hispanic	American Indian or Alaska Native	Asian	Hispanic or Latino	Pacific Islander
K-5	304	1%	5.9%	10%	16.5%	0.7%

  

Grades	Enrollment	White not Hispanic	Two or More Races	None Reported (Ethnicity)	English Learners	Free & Reduced Price Meals
K-5	304	62.5%	10.2%	0	3.3%	64.1%

Fuente Nueva Growth Plan

Projecting future enrollment is a process that has challenged us with a growing school. We are pleased that after ten years of operation we have reached our target student enrollment and for the first time will offer stand-alone classrooms in grades first through fifth grade. The below charts project both enrollment and ADA for three years.

PROJECTED ENROLLMENT GROWTH			
	2015-16	2016-17	2017-18
TK/ Kindergarten	24	24	24
First Grade	23	23	23
Second Grade	20	21	21
Third Grade	21	20	20
Fourth Grade	19	19	19
Fifth Grade	16	18	18

PROJECTED ENROLLMENT GROWTH FOR BUDGET DEVELOPMENT				
		2015-16	2016-17	2017-18
GRADE TK/ K-3 PROJECTED ENROLLMENT		88	88	88
	ADA @ 0.95	84	84	84
GRADE 4-6 PROJECTED ENROLLMENT		35	37	37
	ADA @ 0.95	33	35	35
GRADE 7-8 PROJECTED ENROLLMENT				
	ADA @ 0.95	0	0	0
	TOTAL ENROLLMENT	123	125	125
	TOTAL ADA	117	119	119
# PUPILS ELIGIBLE FOR FREE AND REDUCED MEALS		40	40	40
# EL PUPILS		2	2	2
# EL PUPILS ALSO ELIGIBLE FOR FREE AND REDUCED		1	1	1
# OF FOSTER KIDS NOT ALREADY INCLUDED IN EL OR FREE AND REDUCED		0	0	0
PROJECTED PERCENTAGE RATE OF ATTENDANCE		95.0%	95.5%	96.0%

### Program and Curriculum Design

Fuente Nueva is a site based program offering Kindergarten through fifth grade. Our classroom configurations depend on annual enrollment. In the 2015-2016 we will offer classrooms as stated in the chart below. The charter council can approve higher enrollment in any classroom at any time for sound educational and fiscal reasons. Combination grade classrooms may be created in any given year due to attrition. While monolingual schools can add students easily in the upper grades, an immersion program has the inherent limitation of adding students in the upper grades due to the language of instruction.

#### Fuente Nueva Program Design

Grade	%Spanish: % English Instruction	Classroom Type	Target Enrollment
Transitional Kindergarten / Kindergarten	98:2	Combination	20-25
First Grade	92:8	Stand-alone	20-25
Second Grade	85:15	Stand-alone	20-25
Third Grade	75:25	Stand-alone	20-30
Fourth	70:30	Stand-alone	20-30
Fifth	70:30	Stand-alone	20-30

Fuente Nueva models our immersion program on a One-Way Full Immersion program with a goal of exiting students that are proficient in both English and Spanish. Our kindergarten and first grade students will spend virtually all of their instructional time learning in Spanish. The immersion portion of the day will include Spanish language arts, math, science, and social studies. The English portion of the day will include music and movement, English language arts, citizenship and art. In second grade students will increase the English portion of the day to fifteen percent. Students will transfer their Spanish reading skills to their native language with more time devoted to English language arts. As they move up grade levels the amount of time learning in Spanish will decrease until they reach thirty percent taught in English by the Fourth grade.

Fuente Nueva Spanish Immersion Model

Grade	% of Spanish instruction: % of English Instruction	Spanish Subjects	English Subjects
Kindergarten	98:2	Spanish language arts, math, social studies, science	English language development, special classes
First Grade	92:8	Spanish language arts, math, social studies, science	English language development, special classes
Second Grade	85:15	Math, social studies, science, Spanish language arts	English language arts, special classes
Third Grade	75:25	Math, social studies, science, Spanish language arts	English language arts, special classes
Fourth Grade	70:30	Math, social studies, science, Spanish language, arts	English language arts, social studies, special classes
Fifth Grade	70:30	Math, social studies, science, Spanish language, arts	English language arts, social studies, special classes

Materials used to teach the core content areas are chosen by the current staff at Fuente Nueva Charter School. The core academic areas of math, language arts and science are supported with state adopted curriculum materials in both English and Spanish. State adopted curriculum is implemented with a flexible approach to meet the needs of the individual class of students. Social studies curriculum is teacher-designed instructional units based on the state standards. A variety of rich curriculum resources are gathered to support the unit areas of study.

In all curricular areas, hands-on, inquiry based learning activities are a core component of educational pedagogy. Therefore when choosing curriculum materials we look for programs that encourage meaningful learning experiences for our students. It is also essential that programs will meet the needs of the diverse learning population present in our school. Challenging our most advance learner is equally as important as supporting our student who is at risk of not meeting grade level standards.

In Spanish language arts we have adopted Tesoros de lectura, a state adopted language arts program that provides a strong foundation in learning to read and write in Spanish. The students enjoy the ease of learning to read in Spanish as the vowel and letter sounds are consistent and predictable (unlike the English language). Students in Kindergarten and First Grade will utilize this program as their primary language arts study. In second grade and up students will study Spanish language arts with a combination of materials from the Tesoros de lectura program and teacher-created language development units.

English language arts in grades kindergarten through fifth grade students learn in a common core driven classroom that engages students through the use of readers and writers workshop. In kindergarten and first grade students use primarily the supplemental materials to assist in their transfer of Spanish reading skills to English. Daily instruction in phonics and phonemic awareness also plays an important role in their early development of English language skills. To further support English language development, we also ask for every parent to ensure that a child reads or is read to for a minimum of twenty minutes daily.

English language arts in grades three through five the program includes readers and writers workshop, daily grammar instruction and literature circles. This provides a comprehensive language arts program that supports individual growth and educational needs. Teacher created units of study are linked to the social studies content areas so that students are making connections between curricular areas. Critical thinking and creative writing are emphasized as students sharpen their communication skills in preparation for their later years of education. Involvement with our local and global community provides a platform for students to practice using their skills in real life situations.

Handwriting is supported by the Handwriting without Tears program that is offered in both English and Spanish. In addition teachers have implemented a school-wide system for labeling school work assignments. Internally developed grade level benchmarks for writing are taught to provide uniformity in writing expectations with regards to labeling assignments, writing conventions and fine motor skills. Portfolios are kept to show student progress towards grade level expectations.

Mathematics in all grade levels is taught in Spanish using the state adopted program created by Houghton Mifflin, Matemáticas. Many immersion programs choose to teach Math in Spanish due to the large number of universal symbols, cognates, and visual instruction that supports the student comprehension. Teachers follow the adopted curriculum and add their own activities to enrich the learning process with hands-on manipulatives and real life math applications. Whole and small group instruction along with peer tutoring also supports the needs of every learner. Across each grade level students spend 10 minutes daily practicing strategies to help them learn their basic math facts. Students build on strategies learned each year so that they can memorize all their math facts in alignment with state expectations by the end of the third grade. Systematic grade level expectations and benchmark assessments support students in gaining the necessary foundational skills in mathematics.

Science curriculum is built around instructional materials developed by Delta Education, the Full Option Science System or F.O.S.S. curriculum. Common vocabulary between the two languages along with hands-on activities makes it an ideal subject to be taught in Spanish. Inquiry based learning emphasize critical thinking skills and discovery learning which provides a broad conceptual understanding of content taught at each grade level. Community resources are utilized to enrich learning at every grade level. Our area has a wealth of scientists and natural resources such as the Redwood forest to be incorporated into the curriculum design.

The ability to create art is a seminal and innate human ability that certainly stands as one of humanities first modes of communication and, without a doubt, human experiences have been captured and suspended in time for us to contemplate through the many mediums of visual art. For many of us, when we were initially exposed to our first “art” implement, we seemed to have a natural want to create art on the walls and surroundings in our homes, much to the dismay of some parents.

With that in mind, in presenting the visual arts to our students and moving away from the walls of our homes, we provide students an opportunity to learn in a studio environment and to express their inner selves through their art work. The art instructor leads students in this process with gentle guidance as they discover the elements of visual art, which include the following: line, color, shape/form, texture, value and space. Our students learn how to use multiple mediums and techniques, skills, processes and tools as they refine their innate artistic talents.

Students in all grade levels participate in a Readers' Theater performance in both English and Spanish. Performances vary from the traditional presentation of a book read and acted out to a more elaborate theatrical performance. This opportunity builds self-confidence and self-esteem while giving them an opportunity to work on public speaking and theatrical skills. The performance is also a chance for Spanish language skills to be showcased in a community format.

A healthy mind needs a healthy body. Our students are engaged in a variety of physical education opportunities under the guidance of their own classroom teacher or a specialty teacher when available. Our curriculum follows state standards and teaches students a variety of traditional sports along with creative cooperative games that promote positive character traits in addition to providing physical exercise. Sportsmanship skills are promoted and physical skills are taught, while students learn about the importance of keeping their bodies healthy.

Our school calendar has a minimum of 175 and a maximum of 180 days of instruction per school year. Our calendar provides at minimum seven teacher duty days to ensure that there is ample time for collaboration and program development. Our calendar is carefully aligned with district and/or other local schools. The daily schedule varies per grade level to meet the broad range of developmental abilities. We meet or exceed the required number of instructional minutes for all grade-levels. (See Appendix for a sample daily schedule, school calendar and bell schedule with instructional minutes.)

### Core Curricular Areas

Instructional methods and strategies implemented at Fuente Nueva Charter School are aligned to the California and National Common Core Standards. Standards are designed to be robust and relevant to the real world, reflecting the knowledge and skills that students need for success in college and careers. The standards provide clarity and a fixed point of reference to ensure that instruction builds upon itself with each subsequent year, as well as meets federal guidelines. The curriculum at Fuente Nueva Charter School, whether purchased or created on site, supports the standards. Students in our classrooms achieve high levels of success through direct instruction, active exploration of concepts, collaborative partnerships, and higher-order questioning.

As with most schools in the nation, we are currently undergoing a transition to the Common Core Standards. Our team is motivated by the potential of increased student understanding and engagement as presented in the Common Core. As of the 2015-2016 school year, all of our curriculum will be aligned with the new standards. Our staff has participated in webinars, vertical team meetings and an online pilot assessment program to help prepare for the new guidelines.

The California Common Core Standards will define for each subject and grade the most important knowledge that students must acquire and the skills they must master. Students will demonstrate appropriate age, developmental, or grade-level mastery of core academic skills which will include, but not be limited to the following:

**English/Language Arts:** Students will demonstrate strong reading, writing, listening, speaking and presentation skills in multiple forms of expression with communication skills appropriate to the setting and audience. They will comprehend and critically interpret multiple forms of expression including literature from all genres.

**Mathematics:** Students will develop abilities to reason logically and to understand and apply mathematical processes and concepts, including those within number sense, and operations, algebra, geometry and measurement and statistics. Additional standard, such as Spanish language math vocabulary are determined by the staff and governing board.

**History/Social Studies:** Students will understand and apply civic, historical and geographical knowledge and perspectives in order to serve as citizens in today's world of diverse cultures. They will develop the skills of a historian through discovery learning research and the use of primary sources.

Science: Students will successfully utilize scientific research and inquiry methods to understand and apply the major concepts underlying various branches of science, which include life sciences, earth sciences, physical sciences and investigation and experimentation. They will apply the scientific process through research and lab opportunities.

### Spanish Immersion

The immersion classroom teaches Spanish in a natural setting by integrating Spanish into the core curriculum, therefore students' ability to follow directions, respond appropriately, and complete given work in the target language will inform the teachers of the students' progress in Spanish language acquisition.

The first three years of instruction focuses more heavily on the receptive language skills, moving gradually to the acquisition of productive language. This manner of learning a language mirrors the way in which children learn their native language. First, children listen to their parents speak, develop phonemic awareness, and then gradually begin to speak in words and sentences.

Student outcomes are directly aligned to the 5 C's of the National Standards of Language Acquisition; communication, cultures, comparisons, connections and communities. These focus areas are woven through the curriculum presentation at every grade level to provide a comprehensive language education for students of the 21<sup>st</sup> century.

Expanded performance indicators for grades kindergarten through sixth grade can be found in the appendix. While these are useful in the measurement of student success, it is important, however, to recognize the wide range of students' Spanish language skills within each grade due to prior experience with Spanish, home language use, year of entry into the immersion program, and individual linguistic abilities.

Immersion students will demonstrate appropriate age, developmental or grade-level mastery of Spanish language skills which will include, but not be limited to the following Standards for Learning Spanish as listed in the overview of the National Foreign Language Standards:

#### COMMUNICATION ~ Communicate in Spanish

- Standard 1.1: Students engage in conversations, provide and obtain information, express feelings and emotions and exchange opinions
- Standard 1.2: Students understand and interpret written and spoken language on a variety of topics.
- Standard 1.3: Students present information, concepts, and ideas to an audience of listeners or readers on a variety of topics.

#### CULTURES ~ Gain knowledge and Understanding of Spanish Speaking Cultures of the World

- Standard 2.1: Students demonstrate an understanding of the relationship between the practices and perspectives of the culture studied.
- Standard 2.2: Students demonstrate an understanding of the relationship between the products and perspectives of the culture studied.

#### CONNECTIONS ~ Connect with Other Disciplines and Acquire Information

- Standard 3.1: Students reinforce and further their knowledge of other disciplines through the foreign language.
- Standard 3.2: Students acquire information and recognize the distinctive viewpoints that are only available through the foreign language and its cultures.

#### COMPARISONS ~ Develop insight into the Nature of Language and Culture

- Standard 4.1: Students demonstrate understanding of the nature of language comparisons of the language studied and their own.
- Standard 4.2: Students demonstrate understanding of the concept of culture through comparisons of the cultures studied and their own.

## COMMUNITIES ~ Participate in Multilingual Communities at Home and Around the World

- Standard 5.1: Students use the language both within and beyond the school setting.
- Standard 5.2: Students show evidence of becoming life-long learners by using the language for personal enjoyment and enrichment.

## The Arts

Artistic expression is also a major pedagogical goal of our curriculum. Imaginative problem solving, group cooperation, cultural awareness, and high self-esteem are all reinforced through a well-balanced art curriculum. In our program we explore the full spectrum of artistic expression through the study of visual arts, theater, movement, and music.

The arts curriculum at Fuente Nueva creates an environment where children's individual personalities, natural talents, and imagination can be fostered so that all students develop a love for their own unique approach to artistic self-expression and their own ability to contribute to school exhibitions and performances. By the end of fifth grade, students will demonstrate artistic perception, skills, and knowledge in the following visual arts and music programs.

## Visual Arts

Students perceive, discuss and utilize the elements of visual art, develop observational skills, explore a wide variety of media and techniques, and most importantly, realize the power of their imaginations. Students keep sketchbooks and participate in art historical / multicultural projects that enable students to understand and discuss the context in which such art is created. Furthermore, students plan and contribute to school and community exhibitions. Teacher observation and portfolios serve as the basis for assessment in art.

## Music

Students learn about, practice, and experiment with rhythm, melody, and harmony. Students listen to and practice music from past and present cultures. Students practice song, percussion, and basic musical instruments. In addition, students perform school concerts each year. Teacher observation, portfolios and performances serve as the basis for assessment in music.

## Readers' Theatre

Students in all grade levels participate in a Readers' Theatre performance in both English and Spanish. Performances vary from the traditional presentation of a book read and acted out to a more elaborate theatrical performance. This opportunity builds self-confidence and self-esteem while giving them an opportunity to work on public speaking and theatrical skills. The performance is also a chance for Spanish language skills to be showcased in a community format. Parents, staff and community volunteers provide the support needed for these events. Readers' theatre has grown to be a loved tradition by the students and greater community.

## Life-Long Learning Skills

- Students will be encouraged to develop skills that will enable them to become self-motivated, competent, lifelong learners through a mastery of the following skills:
  - Character Development: The ability to understand and accept the value of integrity and moral courage in all aspects of life and learning.
  - Communication: The ability to listen, speak, read and write as appropriate to the intended audience in school, at home, or in the community.

- Cooperation: The ability to work productively with school peers, family members, and community members in order to complete assigned projects.
- Critical Thinking: The ability to form a reasonable opinion on matters requiring the active assessment and comparison of data to be a socially aware citizen.
- Caring and Respect: The ability to accept and demonstrate kindness and appreciation for cultural, linguistic, and socio-economic differences among peers and community members.
- Citizenship: The ability to be civically responsible by participating in the charter school and community at large.
- Conflict Resolution: The ability to resolve differences of opinion in a civil and fair manner.
- Responsibility: The ability to maintain the highest personal standards in studies and citizenship.
- Study Skills: The ability to utilize note-taking strategies, questioning strategies, library research skills, goal setting, self-assessment, time management, test taking strategies and the ability to reflect on one's own learning.
- Students will develop skills that will empower and support them in their own path of learning through and beyond their time at Fuente Nueva. Areas that will be explicitly taught and evaluated are:
  - Strong work habits and study skills
  - Ability to take responsibility for one's own learning through follow through and self-reflection.
  - An ability to constructively evaluate their own work and the work of others.

### Interpersonal Skills

We believe that everyone has the right to a safe, nurturing, and challenging learning environment. In order for this to occur, we must all have respect for each other and our classroom space. In daily interactions with our students, we model respectful and caring behavior. Starting in kindergarten students build empathy, compassion, and conflict resolution skills through our character studies program. This leads to local and global social justice studies in the upper grades.

Our Guidelines for Success are:

- I care for myself
- I care for others
- I care for my school

Students will demonstrate:

- Developed leadership and citizenship skills
- Ability to engage in meaningful and compassionate peer and adult/student relationships
- Ability to effectively work in collaboration with others towards a common goal.

### A Day in the Life of a Student

As a student arrives to the campus they are welcomed into our Extended Day Program as they await the opening of the classroom doors at 8:30am. On Monday and Friday the students meet in the Multi-purpose room to attend an all school meeting entitled *Reunión*. Students participate in weekly lessons in Spanish language vocabulary and character education. We sing songs in Spanish and English and share any special announcements. Each student then returns to their classroom for daily instruction. Teachers structure their days around a number of special classes offering instruction in the arts, gardening, character education, familias (cross-grade level group instruction) and English language instruction.

In an effort to promote cross-age relationships, students break for daily snack and recess as a whole school community. Students eat in their own classrooms or outside in our courtyard. During the afternoon break, our students are break for lunch and recess by grade level grouping. A school lunch is available to all students on a daily basis.

After dismissal students may take advantage of our Extended Day Program for continued care and learning opportunities. Students who are at-risk receive after school tutoring by their classroom teacher, a resource aide and the resource teacher. (See appendix for a sample daily schedule and school calendar.)

### Curriculum and Materials

Below is a partial list of the resources used at Fuente Nueva to reach our educational goals. With the implementation of the Common Core State Standards, we are in the process of updating our curricular resources. This process is due to be complete in the 2015-2016 school year. Our teachers utilize the published curriculum as the foundation of a rich and diverse presentation of content studies. In addition to the published curriculum, multiple other sources such as literature, community presentations, field trips and real hand-on experiences are used to teach the content standards. (See Appendix for samples.)

#### Spanish Language Arts

- Tessoros de Lectura
- Leer Naturalmente
- Benchmark Guided Reading and Comprehension Programs
- Fountas and Pinnell Reading Assessment System
- DIBELs Assessment System
- Classroom libraries filled with a combination leveled libraries and trade books

#### English Language Arts

- Daily Five Cafe
- Houghton Mifflin Reading
- Grammar Punk
- Guided Reading Library
- Leveled Library
- Trade books

#### Mathematics

- Houghton Mifflin Matemáticas
- IXL Math
- Khan Academy
- Variety of manipulatives

#### Social Studies

- Interact, *learning through experience*
- Library collections acquired through a partnership with the Humboldt County Office of Education
- Local community resources such as the Fire Station, Clark Museum, Arcata City Hall

#### Science

- Delta Education, FOSS, Full Option Science System
- Library collections acquired through a partnership with the Humboldt County Office of Education
- Local community resources such as the Friends of the Arcata Marsh, Patrick's Point State Park, Wolf Creek Outdoor School, Friends of the Dunes

## Professional Development

Fuente Nueva is committed to ongoing professional development of all members of our educational team. Each employee is reviewed at minimum semi-annually. As a part of the evaluation process the employee and director agree upon individualized professional development plan. The goals that are selected are tied to current school-wide student achievement goals. As a small school we are able to be nimble to meet the needs of our changing population. Teachers play a strong role in identifying their own professional growth areas. Through peer observations and consistent evaluations by both the director and the parents, teachers are able to identify areas of growth. The director coaches the employees and has the responsibility of approving the final professional development plan. The employee is responsible for ensuring that the development plan is followed by seeking opportunities to meet their goals. Under the oversight of the Board of Directors, the charter school is responsible for providing adequate release time and financial support for all employees.

## Plan for students performing below grade-level expectations

All students learn in different ways on different days. At Fuente Nueva, staff work to meet the diverse needs of students by providing individualized behavioral and educational plans that support the learning experience.

While there is not a lot of conclusive research about the effectiveness of an immersion program for students with special needs it is commonly felt that most students can and will perform well in an immersion program. Students with mild learning disabilities and delays are well supported by the variety of techniques that are common in a language immersion classroom that are also regularly utilized strategies for the struggling learner. Enrollment for students with pre-identified language-processing difficulties should seriously be considered prior to enrollment. Still, it is believed that most children with mild learning disabilities combined with skilled and knowledgeable teachers and supportive parents can and do find successes in a language immersion program, learning content and proficiency in the second language.

## Educating Special Populations

We have created a learning environment that supports all of our students' academic, social, and emotional growth. We support our students and their families through regular community-based events and a variety of informal and formal communication. Our parent group, Amigos de Fuente Nueva, family events also provide a forum for families with diverse backgrounds to get to know and support each other with our common goal.

In order to better support a wide variety of learners and student populations, additional strategies target students who may have additional needs. Our approach employs techniques that differentiate using prevention, intervention, and acceleration.

## Annual Goal and Action Planning to Achieve State Academic Priorities

Fuente Nueva Staff Members plan to use Smarter Balanced Assessment Consortium assessments in the future to analyze student achievement in relation to California Common Core Standards. Staff meetings are held annually before the school year begins to identify program strengths and weaknesses, special population academic trends, and individual student needs. Based upon the data, staff members design our school schedule to provide intervention support as needed. In addition, we agree upon staff development opportunities in academic areas where improvement in instruction is necessary. Throughout the year, several additional assessments are used to monitor student and instructional progress. Staff members meet monthly to review progress monitoring data and to amend current instruction according to ongoing improvements or declines in achievement.

Programs and instructional strategies used for intervention and student support are listed below.

### Student Study Teams

Action plans are developed through the Student Success Team (SST) process that involves resource staff, classroom teacher, parents and charter director. The team works together to support the child's learning and to meet team developed goals. The team determines an intervention plan that meets the needs of the student who is performing below grade level. The team closely monitors the student's progress through formal and informal assessments and makes educational changes as needed to ensure academic growth.

The SST is a systematic, individual, solution-oriented approach to assist students with academic and/or social success. The SST clarifies problems and concerns, develops strategies and organizes resources, provides a system for school accountability, and serves to assist and counsel the parent, teacher and student. Students benefiting from an SST include, but are not limited to, those students achieving below or above grade level, English Language Learners, and students who have experienced issues that might hinder their academic success at school. Ongoing, regular communication with families through phone calls, conferences, letters, and emails are an important part of the process. Anyone who has a concern for a student can refer that student for an SST. Once a referral is received by the Student Study Team, a meeting will be promptly scheduled. Parents will be encouraged to participate in the SST process.

The meeting is designed to support and enhance the education of the identified student. At each meeting an SST form is completed. An SST form includes the student's strengths, current performance level(s), areas of concern, desired objectives, and specific strategies that will be used with the student to address the concerns, measurable goals and assessment means, and a timeline in which each objective is projected to be met. The SST process includes all pertinent parties including, but not limited to, the classroom teacher, the parents, and the Director.

### Students Achieving Below Grade Level-Specific Actions

We are committed to working with students who are achieving below grade level, as demonstrated in ongoing informal and formal assessments to help them obtain academic success. In the general education classroom, a differentiated learning approach provides a learning environment where academically low achieving students can be challenged to improve, become responsible for their learning, and set personal and/or academic goals for assessment. Students work in a variety of learning environments to foster academic growth which may include, but is not limited to, small group, 1 on 1, subject-based and/or interest/skill-based. Likewise, responsive teaching provides a safe environment that respects and responds to the student's social and emotional needs.

### Student Achievement

#### At-risk Student Response to Intervention Program

- Tri-annual student data collection to achieve consistent student progress monitoring
- Tri-annual educational team meetings held for the purpose of identifying at-risk students
- Referral to Student Success team meetings as needed
- Speech screenings for students of concern beginning in kindergarten
- School Counselor services
- Implementation of student Response to Intervention services
  - Push-in and pull-out services offered daily
  - After school tutoring by classroom teacher
- Referral to Special Education as needed
- Referral to School Counselor as needed

## Differentiated Instruction

- Small group instruction
- Tiered Assignments
- Classroom paraprofessionals
- On-going formative assessment
- Systematic summative benchmark assessment using curricular and teacher created materials

School-wide structures are the first step in meeting the needs of students performing below grade level, but additional supports are introduced for any student who:

- Is performing more than one level below his/her actual grade level
- Is not on track to make at least one grade level of growth in reading, writing, and math
- Does not meet the two criteria above but has persistent challenges with the school's academic or behavioral expectations

Such students are identified using the benchmark assessments. For students who do not achieve proficiency on benchmarks as measured by school grade level expectancies and assessments, the following interventions may be in effect:

- Title I - intervention services are provided for students who are at risk of falling below grade level standards. These services are provided in both the push-in and pull out model depending on the most conducive learning environment for the area of intervention. Services are provided by staff members who are in close contact with classroom teachers so that the intervention time supports the students work in the regular classroom.
- Cross-age Tutoring - Older students at Fuente Nueva support struggling students by providing support in core content areas as directed by the teacher. Our emphasis on community and social responsibility fosters an environment where students regularly support each other with academic goals. This support will happen within and after the school day, based on the student's needs and schedule.
- In-class Instruction - Our faculty engages in a wide range of best practices in order to meet the needs of students achieving below grade level. Research based prevention/intervention curriculum are supported by practices such as team teaching, differentiated instruction, 1-on-1 support, small learning communities, collaboration, and the Student Study Team (SST). See Student Study Team (previous section) for a detailed description of the SST process.
- After School Tutoring - Our classroom teachers provide after school tutoring in small groups. In extreme cases, 1-1 tutoring is provided by the resource teacher or paraprofessional.
- After School Program - We implement an after school program that offers enrichment and academic support for all students. Academic support may include homework help, and/or extra computer based skills practice. Enrichment classes are offered on a wide variety of topics, such as music and art. Academic support is offered as part of the after school program.
- Mentoring – Community volunteers, including family members of Fuente Nueva children, students from local colleges, and senior citizen volunteers, are invited to work 1-on-1 and in small groups with students that would benefit from additional academic support. The Director implements and oversees the mentoring program to ensure that the appropriate screening and background checks are administered. Students and mentors are matched based on needs of the student and skills of the mentor, as well as compatible personalities.
- Response to Intervention (RtI) - We utilize RtI to supporting students achieving below grade level. We implement quality interventions that are matched to student needs, coupled with formative evaluation to obtain data over time to make critical educational decisions for our students.
- Special Education support - If a learning disability is suspected, students will be referred to the SST process.
- Programs Used for Literacy Intervention- Programs that are used to support student learning include, but are not limited to the following: Fountas and Pinnell, Benchmark Education, Read Naturally, and Scholastics Guided Reading in Spanish.
- Programs Used for Math Intervention- Programs that are used to support student learning include, but are not limited to the following: Houghton Mifflin Matemáticas, IXL online student support program, and Khan Academy.

## Students Achieving Above Grade Level/Gifted Students

We are committed to advancing student achievement for all students. Students achieving above grade level and/or gifted students are identified through informal classroom assessments and teacher observation. Parents are notified by the classroom teacher at parent teacher conferences. Ongoing assessments are a critical element in planning and implementing a challenging and appropriate curriculum. By implementing data-driven instruction, teachers are able to modify the curriculum to meet the needs of students who are performing above grade level or gifted. The ongoing assessment model allows teachers, students and parents to evaluate the instruction and student progress regularly and make modifications to the curriculum to meet the needs of the student. We foster a 'growth mind set' by providing an academic environment that encourages students to set challenging goals and strive for success. Our project and inquiry based learning approach creates many opportunities for students achieving above grade level to explore and learn at a depth that suits their knowledge and skills. In addition, our teachers identify and design modifications that provide learning activities that develop problem solving and critical thinking skills, such as activities described in Level Three and Level Four of the Depths of Knowledge (i.e. synthesize, create, design, construct, evaluate, and critique). Our language arts, math, science, and social studies curriculum reflect our core values, which establish learning to be collaborative, balanced, differentiated, and meaningful. Our well-rounded and rich learning environment provides opportunities for students to gain a plethora of experiences such as: participation in the Humboldt County Spelling Bee, Science Fair, History Day Celebration, gardening, varied outdoor experiences both on and off campus, field trips to cultural and historical locations, community visitor program, and ample hand-on and exploratory learning opportunities. Teachers, students and parents work together to modify the classroom curriculum to ensure that it challenges, engages and meets the needs of the gifted student.

## Plan for English Language Learners

### Overview

Fuente Nueva Charter School will comply with federal, state, and district mandates regarding ELL education, re-designation of ELL students and equal access to the curriculum for English language learners. For students who are native Spanish speakers, our program will naturally support the English language development by providing instruction in their native language. It is believed that language skills transfer from native language to the target language best when some instruction is provided in the native language. This naturally occurs for native Spanish speakers in our Spanish Immersion program where no less than 70% of instruction occurs in Spanish.

We meet all applicable legal requirements for English Learners ("EL") as they pertain to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, reclassification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. We implement policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents.

### Home Language Survey

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

## CELDT Testing

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

We notify all parents of its responsibility for CELDT testing and of CELDT results within thirty days of receiving results from the publisher. The CELDT is used to fulfill the requirements under the No Child Left Behind Act for annual English proficiency testing.

## English Learners Reclassification Procedures

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

- Assessment of language proficiency using an objective assessment instrument including, but not limited to, the California English Language Development Test or CELDT.
- Participation of the pupil's classroom teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil to evaluate the pupil's curriculum mastery.
- Parental opinion and consultation, achieved through notice to parents or guardians of the language reclassification and placement including a description of the reclassification process and the parents opportunity to participate, and encouragement of the participation of parents or guardians in the reclassification procedure including seeking their opinion and consultation during the reclassification process.
- Comparison of the pupil's performance in basic skills against an empirically established range of performance and basic skills based upon the performance of English proficient pupils of the same age that demonstrate to others that the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English.
- The Student Oral Language Observation Matrix is used by teachers to measure progress regarding comprehension, fluency, vocabulary, pronunciation, and grammar usage.

## Strategies for English Learner Instruction and Intervention

Supporting our English Learners requires that we take an approach that ensures the quickest acquisition of English. By linking the ESL standards to state academic standards, we can ensure that EL students receive high quality instruction in English language and other content areas. It also requires that we respect the culture and home language of our students. In order to reach the goal of English fluency, we provide a developmentally appropriate and highly structured approach to teaching English. We help students identify that their bilingual capacity will be an asset, as well as an admirable and valuable skill. Translators for non-English speaking parents will be provided when appropriate and possible. We serve our EL students in accordance with all applicable State and Federal laws and regulations. We adhere to the following plan with EL students:

- A staff member trained in CELDT testing administers all assessments for language proficiency for English Learners. Students whose primary language may not be English are assessed on English proficiency using instruments and techniques such as the CELDT. The CELDT is administered at the start of each school year by the state mandated deadline or within 30 days of student enrollment.
- For students identified as being of limited English proficiency, a further assessment is made to determine the student's primary language proficiency, including speaking, comprehension, reading, and writing, to the extent assessment instruments are available as per education code 52164.1(c). Parallel forms of the instruments used to determine English proficiency are used, if available. If not, we use an instrument recommended by the Department of Education. The Department of Education annually evaluates the adequacy of instruments and designates instruments to be used by school districts. The Department of Education recommendation will be available by

March 15 of each year. The assessment process is completed within 90 days after the date of the pupil's initial enrollment. The parent or guardian of the pupil is notified of the results of the assessment. The results of the assessment determine the extent and sequence in which English and the primary language will be used in the instruction of basic skills. Assessments are updated as necessary to provide a curriculum meeting the individual needs of each pupil of limited English proficiency. If the assessment conducted (pursuant to education code section 52164.1(c) indicates that the pupil has no proficiency in the primary language, further assessment of the pupil's primary language skills including consultation with the pupil's parents or guardians, the classroom teacher, the pupil, or others who are familiar with the pupil's language ability in various environments is conducted. If this detailed assessment indicates that the pupil has no proficiency in his or her primary language, then the pupil is not entitled to the protection of this article. The assessments are conducted by persons who speak and understand English and the primary language of the pupils assessed, who are adequately trained and prepared to evaluate cultural and ethnic factors, and who follow procedures formulated by the Director to determine which pupils are pupils of limited English proficiency, as defined in subdivision (m) of Section 52163. The Director may waive the requirement that the assessment be conducted by persons who can speak and understand the pupil's primary language where the primary language is spoken by a small number of pupils and the charter certifies that it is unable to comply. This certification is accompanied by a statement from the district superintendent that the district has been consulted and was unable to assist in the effort to locate appropriate individuals to administer the assessment.

- EL students receive daily small group instruction focusing on English language skills both out of and within the general education classroom. Best practices in EL instructional strategies are implemented, including but not limited to: direct instruction; modeling; scaffolding; accessing and building prior knowledge; and vocabulary development.
- The School reports the number of EL students attending the school to the district and the state.
- Parents receive written notification of their child's CELDT scores.
- EL students who are not making appropriate academic growth will be referred to a Student Study Team (SST) for additional support.

Regular assessment of EL progress is assessed in the following way:

- CELDT at the start of each school year
- Comparing growth on the CELDT test and re-classifying students as needed
- EL students are making strong academic progress as measured by instructor developed assessments
- EL students are proficient in English in three years or less
- EL students are proficient in English Language Arts as evidenced by proficiency on state and standardized exams
- EL students are advancing from grade level to grade level, evidencing mastery of core subjects on par with native speaking students.

If students are not making sufficient academic progress as indicated through CELDT data, we modify our EL program as needed. We ensure that teachers are qualified and supported to meet the needs of our EL students. We hire teachers that are CLAD/CLAD equivalent or BCLAD certified.

#### Plan for Special Education Services

The following provisions govern the application of special education to the Charter School Students.

- It is understood that all children will have access to the Charter School, and no student shall be denied admission due to disability.
- The charter School agrees to implement a student success team process, a general education function, to monitor and guide educational services prior to application of Section 504 and special education services. For purposes of this section, the parties agree that a student study team is a group of the Charter School staff knowledgeable about a particular student who meet to discuss and explore alternate strategies that may be used with a student to

enhance educational benefit when a student is under-performing. Such alternatives should generally be attempted prior to a referral to 504 or special education

- Students with a higher need for services are assessed and given formalized Individual Education Plans with the support of the parents, resource teachers, county staff, classroom teacher and charter director.
- The Charter School and the District will, in a Memorandum of Understanding (MOU), reach a mutually agreeable arrangement which will include, but not be limited to the delivery of special education services, Child-Find responsibilities, third party service provider options, special education funding, maintenance of effort (MOE), a mutual hold harmless clause, and the monitoring/oversight responsibilities of the District. This MOU will define a process for the Charter School to be in compliance with all laws and regulations regarding special education and special education related issues.

## Students with Disabilities

The Charter School shall comply with all applicable state and federal laws in serving students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act ("Section 504"), the Americans with Disabilities Act ("ADA") and the Individuals with Disabilities in Education Improvement Act ("IDEIA"). Fuente Nueva Charter School understands that the School has the obligation to serve students with exceptional needs and that the school, pursuant to applicable State and Federal laws for special education, must ensure that all of its students have access to a Free and Appropriate Public Education (FAPE). The School complies with the Humboldt-Del Norte Special Education Local Plan Area (SELPA). The Charter School shall be categorized as a public school of the District in accordance with Education Code Section 47641(b). Pursuant to a Memorandum of Understanding with the District, Fuente Nueva Charter School, although designated a public school of the District for purposes of special education, will have the exclusive responsibility to provide special education and related services to its students and will retain the liability for such special education and related services, and the District will pass-through Fuente Nueva's share of the District allocation of special education funding from the SELPA.

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

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

As a public school of the District for purposes of special education, we understand that the District will have oversight of the Charter's special education program. The Charter will continue to comply with all reasonable requests for documents and records and shall allow the District site visits, with appropriate notice, as necessary.

Fuente Nueva provides a continuum of support services as outlined in the Humboldt-Del Norte SELPA plan to meet the needs of the students. We take total responsibility for special education services at the Charter. We currently employ a resource teacher, speech teacher and special education aide to service special education students on campus, as well as to manage each special education student's IEP. All other services including, but not limited to, occupational therapy and psychological testing, needed on the continuum of program and service options, are provided as necessary by third party service providers. The school does not discriminate on the basis of special education needs and ensures that the student's needs are being addressed to the extent of the law.

## Services for Students under the "IDEIA"

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

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

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

### Staffing

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

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

### Notification and Coordination

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

### Identification and Referral

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

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

Once a referral is received, parents are sent an assessment plan for their approval within 15 days. Once consent by the parent is received, the school completes the formal evaluation and holds an IEP meeting within the 60-day timeline. Prior to the meeting, parents are given a written notice describing their rights. The IEP team shall be comprised of the parent(s), school psychologist (for initial and triennial IEPs), the Resource Specialist Teacher (RST) and/or Speech Teacher, other specialists needed, a school administrator or designee, and the student's general education teacher(s). Should the IEP team determine that the student qualifies for special education under one of the thirteen federally mandated eligibilities, (autism, deaf-blindness, deafness, emotional disturbance, hearing impairment, mental retardation, multiple disabilities, orthopedic impairment, other health impairment, specific learning disability, speech or language impairment, traumatic brain

injury or visual impairment [34 C.F.R. 300.7(c)(1999)], the team makes a determination of services that provide an education in the least restrictive environment. After the initial IEP, the student will have an annual IEP meeting to review progress, goals and objectives, and a more in-depth IEP meeting every three years (Triennial IEP).

The Resource Specialist Teacher, other special education teachers, and the general education classroom teacher(s) work in partnership with the SELPA to provide an education that meets student needs, ensures that students are progressing toward their IEP goals, and moves the student toward the goal of meeting the California Common Core Standards.

### Assessments

The term “assessments” shall have the same meaning as the term “evaluation” in the IDEIA, as provided in Section 1414, Title 20 of the United States Code. The Charter School will determine what assessments, if any, are necessary and arrange for such assessments for referred or eligible students in accordance with applicable law. The Charter School shall obtain parent/guardian consent to assess Charter School students.

### IEP Meetings

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

### IEP Development

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

### IEP Implementation

The Charter School shall be responsible for all school site implementation of the IEP. As part of this responsibility, the Charter School shall provide parents with timely reports on the student’s progress as provided in the student’s IEP, and at least quarterly or as frequently as progress reports are provided for the Charter School’s non-special education students, whichever is more. The Charter School shall also provide all home-school coordination and information exchange. The Charter School shall also be responsible for providing all curriculum, classroom materials, classroom modifications, and assistive technology.

### Interim and Initial Placements of New Charter School Students

The Charter School shall comply with Education Code Section 56325 with regard to students transferring into the Charter School within the academic school year. In accordance with Education Code Section 56325(a)(1), for students who enroll in the Charter School from another school district within the State, but outside of the SELPA with a current IEP within the same

academic year, the Charter School shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved IEP, in consultation with the parent, for a period not to exceed thirty (30) days, by which time Charter School shall adopt the previously approved IEP or shall develop, adopt, and implement a new IEP that is consistent with federal and state law.

In accordance with Education Code Section 56325(a)(2), in the case of an individual with exceptional needs who has an IEP and transfers into the Charter School from a district operated program under the same special education local plan area of the Charter School within the same academic year, the Charter School shall continue, without delay, to provide services comparable to those described in the existing approved IEP, unless the parent and the Charter School agree to develop, adopt, and implement a new IEP that is consistent with federal and state law.

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

#### Non-Public Placements/Non-Public Agencies

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

#### Non-discrimination

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

#### Parent/Guardian Concerns and Complaints

The Charter School shall adopt policies for responding to parental concerns or complaints related to special education services. The Charter School shall receive any concerns raised by parents/guardians regarding related services and rights.

The Charter School's designated representative shall investigate as necessary, respond to, and address the parent/guardian concern or complaint.

#### Due Process Hearings

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

#### SELPA Representation

Fuente Nueva Charter School is not an LEA for the purposes of SPED. It understands that the Arcata School District shall represent the Charter at all SELPA meetings. FNCS acts as its own LEA and SPED funds flow through the ASD.

## Funding

The Charter School understands that it will be subject to the allocation plan of the SELPA. In exchange for providing our own special education services, Fuente Nueva shall continue to receive the same per pupil funding as the district in regards to AB 602 State and Federal funds based on the Humboldt-Del Norte SELPA funding model. All AB 602 State and Federal funds that the charter receives will be used for special education purposes only. The Charter School and the District will each be solely responsible for their own special education encroachment costs. Fuente Nueva agrees to defend and indemnify the District for anything related to special education at the Charter.

## Student Study Team

The School implements a Student Study Team (SST) process. The Student Study Team meetings are comprised of parents, teachers, administrators, and other school professionals. The SST process includes screening all students with academic and behavioral difficulties before a referral for special education evaluation is made. The SST meeting is designed to support and enhance the education of the identified student. At each meeting an SST form will be completed. An SST form will include the student's strengths, current performance level(s), specific strategies that will be used with the student, measurable goals and assessment means, and a timeline in which each objective is projected to be met. A referral to initiate the SST process may be made by any classroom teacher once they have made an attempt at classroom modifications and/or instructional interventions.

All interventions including, but not limited to, small group instruction; 1-on1 support; cross-age tutoring; mentoring and after school enrichment and support will be exhausted before a student is referred to special education. For further information, see the plans outlined in the section, Students Achieving below Grade Level. The School recognizes that a parent can directly request a Special Education assessment for their child from the school. The request must be in writing and should include the reason for suspecting a disability and the need for special services. This process will be used along with the Response to Intervention method of academic intervention.

## Response to Intervention (Rtl)

The Response to Intervention (Rtl) model is an important tool in early intervention and one of the methods used to determine whether a child has a specific learning disability. Rtl plays a key role in identifying and working with struggling learners. It helps educators make better decisions about which children should be referred for additional educational supports. According to a joint paper by the National Association of State Directors of Special Education and the Council of Administrators of Special Education, "Rtl is the practice of providing high-quality instruction and interventions matched to student need, monitoring progress frequently to make decisions about changes in instruction or goals and applying child response data to important educational decisions. Rtl should be used for making decisions about general, compensatory and special education, creating a well-integrated system of instruction/intervention guided by child outcome data."

## Section 504 of the Rehabilitation Act

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

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

Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel.

Tests and other evaluation materials including those tailored to assess specific areas of educational need, and not merely those which are designed to provide a single general intelligence quotient.

Tests are selected and administered to ensure that when a test is administered to a student with impaired sensory, manual or speaking skills, the test results accurately reflect the student's aptitude or achievement level, or whatever factor the test purports to measure, rather than reflecting the student's impaired sensory, manual or speaking skills.

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

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

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

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

## Element 2: Measurable Pupil Outcomes

### Governing Law:

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

### Measuring the Outcome of Producing Educated Person in the 21st Century

We strive to ensure that all of our students develop the skills and behaviors necessary for academic, personal, and professional success in the 21<sup>st</sup> century as described in the section above titled, “Educated Person in the 21<sup>st</sup> Century”. We measure the outcome of producing this person by assessing the following characteristics:

- strong knowledge of academic content
- problem solving capability
- creativity and the ability to work with multiple ways of representation
- motivation to learn, intellectual independence, and ability to self-educate
- communications skills (oral, written, teamwork, and interpersonal skills)
- global awareness, vision, a sense of human responsibility and ethics

### LCFF Compliance

#### General Assurances:

- Assurance the school will comply with all requirements pursuant to California Education Code and 47605(b)(5)(ii) including the development of school wide goals for all subgroups as applicable to the eight state priority areas identified in Education Code 52060(d).  
Assurance of compliance with all elements of the Local Control Accountability Plan (LCAP), including the adoption of any templates required by the State Board of Education. The LCAP goals for Fuente Nueva can be found under the heading, “Fuente Nueva Charter School has established the following Schoolwide Outcomes and Benchmarks/Specific Measures of Assessment based upon the goals in its LCAP” below.

Fuente Nueva Charter School understands the importance of data collection and analysis in measuring and improving student learning. Our current curriculum aligns with the Common Core State Standards for California. Student outcomes are measured through a variety of standards-based assessments for every student. All core components including language arts, mathematics, science, and social science are implemented in accordance with Federal and State regulations and also through the use of curriculum-based, school-based and teacher designed assessments. Assessment data is used to measure student performance, to analyze data, and to convert results into specific measurable action plans that support strong academic achievement for English language development and are assessed in a comprehensive and dynamic system.

As required under the CDE regulations for grant funds received under the Local Control Funding Formula (LCFF), Fuente Nueva will comply with all elements of the Local Control Accountability Plan, including the adoption of any templates required by the State Board of Education. This will include descriptions of the educational program and pupil outcomes that define annual goals for subgroup performance. Fuente Nueva staff will update accountability elements as directed by the

CDE. We plan to implement these updates according to the Key Timelines outlined in AB 97 and SB 91 of 2013. As the regulations are implemented by the State Board of Education (SBE), Fuente Nueva will provide documentation in compliance with these regulations to the Arcata Elementary School District Governing Board, the Humboldt County Office of Education, and the California Department of Education.

Fuente Nueva annual LCFF accountability plan will identify English Learners, children from low income families, and foster children enrolled in the school.

Fuente Nueva will identify how supplemental and concentration grant money received for the above mentioned student populations will be spent to address the academic needs of these students.

Fuente Nueva will align our school budget with the accountability plans and submit the plans and budget to the Arcata Elementary School District and/or the Humboldt County Office of Education as required by the CDE.

Timeline for Local Control Funding Formula Plan Requirements:

June 30, 2015

EC section 52075: complaint procedures related to plan compliance

Charter schools shall establish local policies and procedures to implement the provisions of this section. A complaint that a charter school has not complied with the requirements of this article may be filed with a charter school pursuant to the Uniform Complaint Procedures. A complaint may be filed anonymously. A complainant not satisfied with the decision of the charter school may appeal to the Superintendent. If the Superintendent or charter school finds merit in the complaints, the charter school shall provide a remedy to all affected pupils, parents, and guardians. Information about these requirements shall be included in the annual notification distributed to pupils, parents and guardians, employees, and other interested parties

July 1, 2015 EC section 47606.5:

Annual plan monitoring and revisions for charters

On or before July 1, 2015 and each year thereafter:

A charter school shall update the goals and annual actions to achieve those goals identified in the charter. The annual plan shall be developed using the template adopted by the SBE and shall include all of the following: A review of the progress toward the goals included in the charter.

October 1, 2015

EC section 52064.5: SBE evaluation rubrics for assessing progress on state priorities

The SBE shall adopt evaluation rubrics for all of the following purposes: To assist a charter school in evaluating its strengths, weaknesses, and areas that need improvement.

Student outcomes are measured through a variety of assessments that are both standardized curriculum assessments and teachers created materials. Specific benchmark skills for each classroom level are under development for the purposes of providing a comprehensive program for students to seamlessly matriculate through the grades.

LCFF/LCAP State Priorities pursuant to 52060 (d)

1. Basic Services
2. Implementation of Common Core State Standards
3. Parental Involvement
4. Student Achievement
5. Student Engagement
6. School Climate
7. Course Access
8. Student Performance

Goal:	State Priority addressed:	Metric used to measure Progress:	Outcome:
1. All students will improve academic achievement.	1, 2, 3, 4, 8.	<ol style="list-style-type: none"> <li>1. CAASPP results</li> <li>2. Staff Professional Development Participation Rate</li> <li>3. Speaker Presentations</li> <li>4. Report Card data analysis system</li> <li>5. CCSS Materials inventory</li> <li>6. Parent Surveys</li> </ol>	<ol style="list-style-type: none"> <li>1. Establish baseline</li> <li>2. 50% of teachers will participate in professional development.</li> <li>3. One Latino speaker event will occur</li> <li>4. Report cards formatted and initial baseline data collected.</li> <li>5. CCSS materials will be adopted at all grade levels</li> <li>6. 75% of parent respondents rate the core academic program as good or excellent. 40% of parents respond to annual survey. Two meetings per year for parents of at-risk students to provide home packets</li> </ol>
2. A safe and secure environment with adequate facilities and services for all student and staff.	1,3,5,6.	<ol style="list-style-type: none"> <li>1. Parent survey, lunch program usage, inventory of equipment and facilities for lunch</li> <li>2. Evaluation form of school facilities.</li> <li>3. Student daily attendance rate</li> <li>4. Chronic absenteeism rates</li> <li>5. Parent survey, student survey</li> </ol>	<ol style="list-style-type: none"> <li>1. Determine feasibility of independent lunch program</li> <li>2. 20% of school facilities needs met</li> <li>3. Student daily attendance rate of 95.5%</li> <li>4. Chronic absenteeism rate of 4%</li> <li>5. Established Healthy Kids survey for baseline. Parent identified needs decrease of 1%.</li> </ol>
3. All students have access to gain mastery of 21 <sup>st</sup> Century Learning outcomes as related to technology.	1,2,4,8.	<ol style="list-style-type: none"> <li>1. Technology Plan</li> <li>2. Equipment and software inventory</li> <li>3. Teacher report of time students use technology for learning goals.</li> <li>4. Parent surveys</li> <li>5. CAASPP participation</li> </ol>	<ol style="list-style-type: none"> <li>1. State approved Technology Plan in place.</li> <li>2. State approved Technology Plan in place.</li> <li>3. Teachers report students using technology at least two times per week.</li> <li>4. Parent satisfaction at 67%.</li> <li>5. Technology in place for CAASPP participation.</li> </ol>
4. All students will participate in a balanced program that incorporates consistent access to visual arts, performing arts, health instruction and fitness instruction.	1,2,3,6,8.	<ol style="list-style-type: none"> <li>1. Materials and equipment inventory</li> <li>2. Administrative and teacher observation and reporting</li> <li>3. Parent surveys</li> </ol>	<ol style="list-style-type: none"> <li>1. Suitable materials and equipment are easily accessed.</li> <li>2. Appropriately qualified arts instructors hired.</li> <li>3. Parent satisfaction rate with art and physical education program grows by 10%.</li> </ol>

## Element 3: Methods to Assess Pupil Progress towards Meeting Outcomes

### 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. Ed. Code § 47605(b) (5) (C)

Fuente Nueva Charter School students will meet the California State standards and partake in the necessary pupil assessments required pursuant to Education Code 60605. Students are assessed in each of the core academic skill areas by a combination of curriculum embedded assessment, performance based assessment, teacher created formative and summative assessments and ongoing authentic assessments such as, teachers' observational logs, samples of students' work and running logs. Teacher also often incorporate the use of teacher created rubrics for performance based assessments, project or written work.

### State and Federal Accountability Measures

Students in the third grade and above participate in California Assessment Student Performance Profile. Results from the statewide assessment are used to confirm classroom assessments in addition to ensuring that adequate academic progress is being made by all students. While data is disaggregated and analyzed the small, intimate nature of our school allows us to see student needs in the classroom in addition to the study of assessment statistics.

Fuente Nueva will continue to meet annual API growth targets determined by the California Department of Education. The school will also continue to make Annual Yearly Progress as required by the No Child Left Behind Act by meeting Annual Measurable Objectives for each identified subgroup and for the school as a whole. The results of the outcomes for measuring student achievement are included in the school accountability report card (SARC) annually and posted on the Fuente Nueva website.

Smarter Balanced Assessment Consortium (SBAC) Assessments: *Smarter Balanced Assessments are designed to measure student progress toward meeting college and career readiness (CDE)*. Fuente Nueva staff members have implemented the SBAC assessment system.

CELDT: Annually, at the beginning of each school year as allotted by CDE, all EL students are tested with the CELDT test to determine their language fluency and growth. All EL identified new students are assessed within state time frame regulations as well as all returning students. Scores are compared with previous year's scores to determine student growth. Using the CELDT score, students are tracked to ensure that they are achieving set goals for language development.

Other State or Federally mandated assessments will be implemented as required including, but not limited to, Common Core State Assessments and the 5<sup>th</sup> grade Physical Fitness Assessment.

### Formative Assessments

Fuente Nueva believes multiple assessment measures are vital for effective instructional planning and successful student learning. Ongoing formative assessments naturally lead to targeted instruction and help monitor the need for intervention and enrichment. By utilizing a backward-design approach, assessments are developed by individual teachers, collaboratively designed, or purchased from curriculum companies dependent on the objectives reflected within each essential core standard and those that further the mission and vision of the school. Assessments are utilized on an individual basis for progress monitoring with students of different ability or skill levels. Assessments are also utilized as

classroom-wide tools and indicators of the level of mastery for an entire class. Research-based assessments that provide important progress monitoring information are utilized throughout the school year. Such assessments include, but are not limited to:

- Exhibits/Projects
- Rubrics
- Student goal setting and reflection journals
- Skills inventories
- Anecdotal records
- Running records

### Summative Assessments

Fuente Nueva staff uses summative assessments as a tool to articulate the coherence between Fuente Nueva's instructional plans and goals with school, district, and state standards to provide documentation for students' long term comprehension and retention of required content and skills. As with the formative assessments mentioned earlier, these assessments are developed by staff members individually and collaboratively, and then utilized to monitor mastery of content standards. They are aligned with the mission, vision, and goals of the school and with the Common Core Standards for California. Assessments are purchased from curriculum companies, educational institutions, or standardized testing facilities. Such assessments include, but are not limited to:

- Curriculum based assessments including: Embedded chapter tests, Fountas and Pinnell Reading Inventory
- School benchmark assessments and staff created assessments
- DIBELS (Literacy)

### Annual Self Study:

Fuente Nueva regularly reports progress toward meeting our measurable goals through our school newsletter, individual teacher newsletters, report card, conferences, and Board Meetings. Multiple forms of assessment are analyzed, and utilized to monitor and improve the school's educational program. After analyzing students' test scores each school year, Fuente Nueva staff uses the data to design and implement a comprehensive school-wide plan to meet its API goals for the following school year in compliance with the LCFF regulations. The staff meets regularly to analyze all areas of the performance data and to determine areas needing instructional adjustment. New goals are developed based on the outcomes of the data analysis with plans for additional student support where needed, professional development opportunities to pursue, and instructional strategy modifications that can be implemented through a professional learning community format. The annual SARC report illustrates our school's performance in relation to goals, including growth over time. It is presented to the Board of Directors at an annual meeting and to community members on the school website. School improvement goals and strategies are included in the annual report. Fuente Nueva is a community of thinkers working together to build a powerful academic program. Other assessment tools included in our annual self-study include: Parent/Stakeholder Survey, Attendance Records, and CELDT scores.

### Use and Reporting of Data

Following each assessment period, data is collected, analyzed and reviewed as a formative tool to drive curriculum development and inform instruction, as well as provide a measure of student progress and identification for Rtl services. Student data is collected on a school-wide matrix that is shared between educators. The matrix is analyzed at minimum, twice annually. The goal is to find trends in student achievement, identify students of concern and to guide team decisions in allocating intervention resources. Student achievement data is also presented in a clear graphic format that is provided to parents during conference times. Standardized testing data is published annually on the Student Accountability Report Card (SARC) web page and available to the public in printed form as well.

All pertinent data, including demographic data in reference to categories listed in NCLB, provide us with a consistent picture of the needs of our students. Teachers have access to student/family information at all times. Parents may request a copy of student records by providing a signed release authorizing the release of such records.

### Report Cards and Parent Communication

Fuente Nueva report cards are standards-based and include a section for teacher comments. Report cards provide an opportunity to communicate with parents about student progress towards meeting California State standards. Standards based report cards evaluate each skill by the following criteria: 1= proficient, 2=almost proficient, 3=practicing, 4=needs additional work. In addition, report cards include a comment area. A sample second grade report card is included in the Appendix.

Report cards are distributed three times a year, at the end of each trimester. Parent-teacher conferences are held at the beginning of each school year after completion of the first assessment period, as well as in the spring after the completion of the second assessment period. Recorded assessments of the students occur prior to the parent-teacher conferences and these are reviewed, along with samples of students' work, during conferences. Additional conferences for individual students not making adequate progress will be determined by the parent, classroom teacher and director.

Daily or weekly forms of communication are sent from teachers to families regarding student behavior, student achievement, ongoing areas of study, and upcoming events in the classroom. Communication takes place in the form of weekly parent notes, emails, and/or website postings.

All students participate in annual theatrical performances, which serve as the culmination of the study of a thematic unit in one or more curricular area. Students also participate in annual exhibitions that reflect both the visual arts and science curriculum.

Student progress in Spanish language acquisition is assessed through embedded curricular assessments, Fountas and Pinnell Reading Inventory in Spanish, DIBLES in Spanish, staff created interpersonal language benchmark assessments, teacher observation, student work portfolios, and other staff or professionally created tools. Their success in the content areas taught in Spanish are also a strong indicator of the students' success in language development. Individual student progress in Spanish Language Arts is incorporated into the student report card.

### Student outcomes and benchmarks of growth and improvement

Student assessment measures are delineated in the table below. For purposes of assessment benchmarks, we define mastery as the ability of the student to demonstrate command of a subject of study as evidenced by appropriate assessments and the student's ability to apply content knowledge in related instructional tasks. Proficiency takes practice, not knowledge alone. Proficiency and mastery are dependent upon the subject matter and grade level. They are measured by assessments created within the instructional design, backwards mapping or rubrics for projects.

Assessment, Purpose, Grade Levels and Administration Timeline				
Assessment Tools	Performance Indicators and Student Outcomes	Grades	Administration Timeline	Benchmarks
<b>English Language Arts</b>				
SBAC Assessments (as regulated by CDE)	Mastery in reading and English Language Arts skills including reading, writing and oral communication as outlined by the California Common Core Standards	3-5	Yearly	Students will meet or exceed average proficiency levels of students with similar demographics in the District and other similar schools on the SBAC Assessments.
Internally Created Assessments	Measure standards mastery	K-5	End of the unit or trimester	At least 75% of our students will attain a score of 75% or better.
Kindergarten Screening Tool	Mastery in pre-reading and English Language Arts skills including reading, writing and oral communication as outlined by the California Common Core Standards	K	At the beginning and end of the Kindergarten year	Students will meet or exceed average proficiency levels of students with similar demographics in the District and other similar schools
Publisher Designed Tests	Assess developmental range of decoding skills, reading strategies, vocabulary knowledge, comprehension, and high-frequency word recognition	K-5	End of the unit or trimester	At least 75% of our students will achieve a score of 75% or better.
Dynamic Indicators of Basic Early Literacy (DIBELs)	Measure students' ability to decode and read grade-level text	K-5	Upon enrollment, three times a year	At least 75% of our students will maintain status in the "low risk" category
Informal Reading Inventories	Assess reading level, decoding skills, and comprehension	K-5	Upon enrollment, each trimester	75% of students will achieve grade level proficiency or better
Writing Rubrics	Measure standards mastery	K-5	Upon enrollment, each trimester	At least 75% of our students will attain a score of 75% or better.
Any Other Federal and State Mandated Standards Tests (CELDT)	Measure standards mastery	K-5	Yearly	Students will meet or exceed the average proficiency levels of students with similar demographics in the District and other similar schools.

Mathematics				
SBAC Assessments (as regulated by CDE)	Conceptual understanding of mathematics and logical reasoning and the ability to apply them to real life situations as defined by the California Common Core Standards	3-5	Yearly	Students will meet or exceed average proficiency levels of students with similar demographics in the District and other similar schools on the SBAC Assessments.
Internally Created Assessments	Measure standards mastery	K-5	End of the unit or trimester	At least 75% of our students will attain a score of 75% or better.
Publisher-Designed Assessments	Measure standards mastery	K-5	End of lesson, unit or trimester	At least 75% of our students will attain a score of 75% or better.
Any Other Federal and State Mandated Standards Tests	Measure standards mastery	2-5	Once per year	Students will meet or exceed the average proficiency levels of students with similar demographics in the District and other similar schools.
Science				
CAASPP assessment (as regulated by CDE)	Skills and strategies of science as defined by the California Common Core Standards, which will enable them to hypothesize, evaluate data, and define and solve problems in the areas of life, physical, and earth sciences	5	Spring of 5 <sup>th</sup> Grade Year	Students will meet or exceed the average proficiency levels of students with similar demographics in the District and other similar schools on Federal or State Mandated Tests.
Internally Created Assessments	Measure standards mastery	K-5	End of the unit or trimester	At least 75% of our students will attain a score of 75% or better.
Publisher-Designed Assessments	Measure standards mastery	K-5	End of lesson, unit or trimester	At least 75% of our students will attain a score of 75% or better.
Federal and State Mandated Standards Tests	Measure standards mastery	5 & 5	Once per year	Students will meet or exceed the average proficiency levels of students with similar demographics in the District and other similar schools on Federal or State Mandated Tests.

History/Social Studies				
Internally Created Assessments	Measure standards mastery	K-5	End of the unit or trimester	At least 75% of our students will attain a score of 75% or better.
Publisher-Designed Assessments	Measure standards mastery	K-5	End of lesson, unit or trimester	At least 75% of our students will attain a score of 75% or better.
English Language Development				
Internally Created Assessments	Measure standards mastery	K-5	End of the unit or trimester	All students will demonstrate proficiency.
Oral Language Development Assessments	Measure oral language development	K-5	Every six weeks or as often as needed	Students will demonstrate increased proficiency on a continuum of oral language development.
CELDT	Measure English Language Proficiency	K-5	Upon enrollment and then yearly	70 -100% FEP by 6 years of instruction
Physical Fitness				
Anecdotal Records, Self-Evaluations, Student -Teacher Conferences	Solid understanding of physical fitness, nutrition and a healthy lifestyle	K-5	Ongoing	At least 75% of our students will attain a score of 75% or better.
Internally Created Assessments	Measure standards mastery	K-5	End of the unit or trimester	At least 75% of our students will attain a score of 75% or better.
Physical Fitness Test	Measure students' physical fitness and endurance	5	Spring	At least 75% of our students will attain a score of 75% or better.
Visual and Performing Arts				
Anecdotal Records, Self-Evaluations, Student- Teacher Conferences	Experience and appreciation for the fine and performing arts	K-5	Ongoing	At least 75% of our students will attain a score of 75% or better.
Internally Created Assessments	Measure standards mastery	K-5	End of the unit or trimester	At least 75% of our students will attain a score of 75% or better.

Technology				
Student Produced Exhibits and Projects	Technology skills to support learning, enhance research, and improve communication	K-5	Ongoing	At least 75% of our students will attain a score of 75% or better.
Software-Based Assessments	Measure standards mastery	K-5	End of the unit or trimester	At least 75% of our students will attain a score of 75% or better.
Social Responsibility				
Anecdotal Records, Self-Evaluation, Student /Teacher Conferences	Experience and demonstration of social responsibility	K-5	Ongoing	At least 75% of our students will attain a score of "On Target" or better.

#### Element 4: Governance Structure of School

##### 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 Ed. Code § 47605(b) (5) (D)

As outlined in Education Code Section 47604 (c): the authority that grants a charter to a charter school that is to be operated by, or as, a nonprofit public benefit corporation shall not be liable for the debts or obligations of the Charter School. The Arcata School District will not be liable for any actions, debts, or obligations taken by the Charter School or any nonprofit public benefit corporation operating the Charter School.

The Fuente Nueva Charter School has constituted itself as a California Non-Profit Benefit Corporation pursuant to California law. As such the school shall operate as per the Fuente Nueva Charter School By-Laws.

The Charter School will be non-sectarian in its programs, admissions policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate on the basis of race, ethnicity, national origin, gender, or disability.

##### Arcata School District

##### Oversight, Agreements, Reporting, Revocation, and Renewal

Sponsored by the Arcata School District, their board has the final legal responsibility for the operation of the Fuente Nueva Charter School. The Arcata School Board, in recognition of the spirit and intent of the charter, does not wish to exert day-to-day control or impose its own vision on the details of the Charter School's operation. It has instead delegated that responsibility to the governing board of directors known as the Fuente Nueva Charter Council (referred to as the FNCC).

The Fuente Nueva Charter School shall also follow all agreements outlined in the mutually agreed upon Memorandum of Understanding (MOU) that exists between the charter school and the sponsoring district. The MOU is reviewed and approved by the Arcata School District board on an annual basis.

The Arcata School District may inspect or observe any part of the school at any time, but shall provide reasonable notice to the director of the school prior to any observation or inspection. Inspection, observation, monitoring, and oversight activities may not be assigned or subcontracted to a third party by the Arcata School District without the mutual consent of the governing board of the charter school.

If the governing board of the District believes it has cause to revoke this charter, the board agrees to notify the Charter Council of the School in writing, noting the specific reasons for which the charter may be revoked, and grant the School reasonable time to respond to the notice and take appropriate corrective action.

The Arcata School District agrees to receive and review the annual fiscal and programmatic audit and annual performance report as specified in Element I, Financial and Programmatic Audit. Within two months of the receipt of this annual review, the charter-granting agency must notify the Charter Council of the school as to whether it considers the school to be making satisfactory progress relative to the goals specified in this charter. This annual notification will include the specific reasons for the charter-granting agency's conclusions. If, in its review of the school's annual report, the charter-granting agency determines that the school is making satisfactory progress toward its goals, this charter, and any mutually agreeable amendments, is renewed for a term of no less than five years.

#### Amendments

Any amendments to this charter shall be made by the mutual agreement of the governing boards of the charter school and charter-granting agency. Material revisions and amendments shall be made pursuant to the standards, criteria, and timelines in Education Code Section 47605.

#### Severability

The terms of this charter contract are severable. In the event that any of the provisions are determined to be unenforceable or invalid for any reason, the remainder of the charter shall remain in effect, unless mutually agreed otherwise by the Arcata School District and the Charter Council. The district and school agree to meet to discuss and resolve any issues or differences relating to invalidated provisions in a timely, good faith fashion.

#### Impact on the Chartering Authority

Fuente Nueva has been in operation as a charter school for ten years and as a learning center for two years prior to that and therefore, the impact on the district will remain the same as it is in the current day. The enrollment shall continue to consist of residence from Arcata and its many surrounding communities.

Business services may be provided by the district in addition to the required district oversight. The charter school is well run and responsible for its actions. The charter school has established risk management practices and established special education procedures. There is little or no potential liability to the district. The charter school is incorporated as a 501(c) 3 California Non-Profit Corporation and in doing so affords the district yet another level of liability protection.

## Communications

All official communications between the Fuente Nueva Charter School and the Arcata School District will be sent via First Class Mail or other appropriate means to the following addresses:

Fuente Nueva Charter School 1730 Janes Road, Arcata CA 95521	Arcata School District 1435 Buttermilk Lane, Arcata CA 95521
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### Fuente Nueva Charter Council

The Fuente Nueva Charter council (FNCC) shall be comprised of no less than eight and no more than eleven members comprised of the following:

- Six parents of enrolled children who are elected by the parents of Fuente Nueva Charter School students, or appointed by the FNCC. Ideally there will be one parent from each grade level or equal representation from each class. Parent members are voting members of the FNCC.
- One Teacher member, elected by the teaching staff, said seat being a voting member. Said seat may remain open.
- The Charter Director, serving as an “ex-officio” voting member.
- One Amigos de Fuente Nueva (AFN)-Board designee, non-voting, serving in an advisory capacity. Said seat may remain vacant.
- At its option, one non-voting member representing the chartering authority, the Arcata School District, said seat serving in an advisory capacity. Said seat may remain vacant.
- At its option, one non-voting member representing the community at large. If filled, this member should have a strong interest in education, second language acquisition, Spanish language, or other relevant area, and should provide a positive outside perspective. Said position may remain vacant.

Parent FNCC members are nominated and elected for a three year term by active parents of currently enrolled students. Elections are held annually in May with terms beginning and ending at the June FNCC meeting. FNCC members may serve an unlimited number of terms. Further information about the structure and process of the charter council can be found in the by-laws of the Fuente Nueva Charter School Corporation and the Charter Council Member Guide.

The Fuente Nueva Charter Council (FNCC) is the final decision making body within the charter school. The council acts as the primary steward of the vision, mission and values of the school. All decisions made will be consistent with the approved vision, mission and values. The necessary committees will be formed to facilitate this process such as; Strategic Planning Committee, Budget Committee, Evaluation Committee and other FNCC approved committees.

The FNCC will perpetuate the focus on continuous improvement of the school through analysis of survey data, stakeholder feedback and student achievement. Moreover the FNCC is responsible for the development, implementation and assessment of the annual budget, enrollment and school development, hiring policy, physical resources, and conflict resolution. Finally, the FNCC will approve all development, personnel, financial and policy decisions for the charter school.

### Teaching Staff

The purpose of the school is to meet the educational needs of the child, therefore the teachers are responsible for providing a sound educational experience for students by following curriculum design as outlined in the charter and is in line with the mission, vision and values of the school. The teachers are responsible for assessing students several times each year and utilizing the results of the assessment to perpetuate the cycle of continuous improvement. Furthermore they are responsible for designing and implementing curriculum, and developing assessment tools for each grade prior to its commencement.

Some curriculum may be adopted by the teaching staff as approved by the FNCC. Staff development is the responsibility of the staff members with the support of the charter school.

The Teaching Staff will be comprised of the Charter Director and all credentialed teachers. One teaching staff member shall be designated to serve on the FNCC for a term of two years and a maximum of two terms in succession.

### Element 5: Employee Qualifications

Fuente Nueva Charter School is nonsectarian in its employment practices and does not discriminate against any teacher on the basis of race, religion, ethnicity, national origin, age, gender, gender identity, sexual orientation, disability or any other legally protected sub-group.

The key staff at Fuente Nueva Charter School shall include but is not limited to:

- Charter Director
- Classroom Teachers
- Resource Teacher
- Paraprofessional instructional aides
- Administrative support staff
- Extended Day Director

The FNCS Charter Director shall hold necessary leadership skills such as but not limited to: effective communication skills, a teaching credential or other related credentials or diplomas, leadership or managerial experience and skills. The charter director is reappointed on an annual basis by the FNCC.

The Fuente Nueva Charter School retains or employs certificated classroom and resource teachers that hold the appropriate California Multiple Subjects Teaching Credentials issued by the California commission on Teacher Credentialing. All first and second year teachers shall participate in the local chapter of the Beginning Teaching Support and Assessment program. Classroom teachers teach the core academic classes of mathematics, language arts, science and social studies. Classroom teachers are responsible for overseeing the students' academic progress and for monitoring grading and matriculation decisions as specified in the school's operational policies. Resource teachers are responsible for overseeing and coordinating school services for students who are identified to qualify for Special Education services or are at risk for not meeting grade level standards.

Fuente Nueva Charter School may also have special teachers that teach subjects such as visual arts, dance, music, or drama, but do not teach the core curriculum. These teachers are not bound by credential requirements, but must be supervised by a credentialed teacher when classes occur during regularly scheduled school hours. Special subject teaching staff will, however, will possess an appropriate mix of subject matter expertise, professional experience, and have demonstrated the ability to work successfully in an instructional capacity. Fuente Nueva may also provide special teachers in the enrichment program that will be offered after school hours.

Paraprofessional instructional aides, administrative staff and the Extended Day director at the charter school support the core curriculum staff in both regular and special education. These staff members shall hold the necessary skills, knowledge and experience to perform their duties and shall hold a Certificate of Proficiency for paraprofessionals from the Humboldt County Office of Education or minimum requirement of two years of college credits.

## Element 6: Health and Safety Procedures

### Governing Law:

The procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the school furnish the school with a criminal record summary as described in Section 44237. 47605 (b) (5) (F)

Fuente Nueva Charter School has a comprehensive set of health, safety, and risk management policies. These policies were developed in consultation with the school's insurance carriers and the Humboldt County Office of Education risk management team. At minimum policies will address the following topics:

- All students enrolled and staff will be required to provide records documenting immunizations as is required at public schools pursuant to Health and Safety Code Section 120325-120375, and Title 17, California Code of Regulations Section 6000-6075.
- The Charter School will adhere to Education Code Section 49423 regarding administration of medication in school. Students will be screened for vision, hearing and scoliosis as applicable to EC Section 49450, et seq., as applicable to the grade levels served by the school.
- The School shall conduct fire drills monthly.
- Assurances that the Charter School shall function as a drug, alcohol and tobacco free workplace. A policy establishing that the school functions as a drug, alcohol, and tobacco free workplace.
- Faculty, staff and volunteers will be tested for tuberculosis prior to commencing employment and working with students as required by Education Code Section 49406.
- Will comply with all State and federal laws concerning the maintenance and disclosure of employee records.
- Charter name staff responsible for monitoring compliance and quarterly Board reports
- The Board President shall monitor the fingerprinting and background clearance of the Principal.
- Non credentialed staff must submit two sets of fingerprints to the California Department of Justice
- Criminal background check for employees and contractors as required by Ed. Code 44237 and 45125.1.
- Commitment to providing harassment-free environment.
- Assurance of comprehensive policy and general discrimination assurances: race, religion, creed, color, national origin, ancestry, age, medical condition, marital status, sexual orientation, or disability.
- Volunteers outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance prior to volunteering
- Disaster Plan shall include, but not be limited to the following responses: fire, flood, earthquake, terrorist threats, and hostage situations.
- A policy requiring that instructional and administrative staff receive training in emergency response, including appropriate "first responder" training or its equivalent.
- Assurance to meet state and federal standards. The Board shall establish a written infectious control plan (including human immunodeficiency virus ("HIV") and hepatitis B virus ("HBV")). Assurance that staff and students shall follow the latest medical protocol for disinfecting procedures.
- Reference with Education Code Section 47610 (Field Act or the State Building Code) test sprinkler systems, fire extinguishers, and fire alarms annually and ensure that they are maintained.
- Fire Inspections are conducted annually.
- A policy that the school will be housed in facilities that have received state or local Fire Marshal approval and that have been evaluated by a qualified structural engineer who has determined that the facilities present no substantial seismic safety hazard.
- General assurances that all staff will be mandated child abuse reporters and follow all applicable reporting laws.

## Element 7: Means to Achieve Racial and Ethnic Balance Reflective of District

### Governing law

“The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing with the territorial jurisdiction of the school district to which the charter petition is submitted.” CA Ed. Code § 47605(b) (5) (G).

The Fuente Nueva Charter School will implement a student recruitment strategy that includes, but is not limited to, the following elements or strategies to ensure a racial and ethnic balance among students that is reflective of the district:

- An enrollment process that is scheduled and adopted to include a timeline that allows for a broad-based recruiting and application process.
- The development of promotional and informational materials that appeals to all the various racial and ethnic groups represented in the district with specific emphasis on materials for the Spanish speaking population.
- The appropriate development of promotional and informational materials in languages other than English to appeal to limited English proficient population.
- The distribution of promotional and informational materials to a broad variety of community groups and agencies that serve the various racial, ethnic, and interest groups represented in the district.

## Element 8: Admission Requirements

Any student in the State of California is eligible to attend Fuente Nueva Charter School (FNCS). Fuente Nueva Charter School will actively recruit a diverse student population and does not discriminate for any reason. Open enrollment and lottery information are posted physically on campus in a publicly accessible location.

Fuente Nueva will inform our community about our educational offerings through several methods, including but not limited to the following: distributing informational, multilingual brochures to local preschools and doctors' offices, as well as submitting open enrollment announcements to local newspapers.

### Continuous Open Enrollment for the Current School Year

If a position is available during the course of the year and there is no waitlist for that position, enrollment is available on a first-come first-served basis. This means that the student who is first interested, age eligible, and ready to immediately attend will be given the position. Positions will not be held for more than five school days.

Students enrolling in any grade beyond the fifth school month of the first grade year will be required to take an oral language entrance assessment in order to assess the student's proficiency in the Spanish language. Results of the assessment shall be presented to the parent/guardian. We will also share with the parents the traits that are held by students who find successes and challenges in entering our program beyond first grade. Students who are eager to learn a second language and enjoy a challenge or students with grade level proficiency in Spanish are encouraged to enroll. Final enrollment is based upon available space and parent/guardian choice.

### Early Enrollment for Kindergarten

As per California State Education code (*sec 48900b*), students who turn five after December 2<sup>nd</sup> may apply for early enrollment. Students may begin attending on the first day the child is five. The charter council must approve the early enrollment and will do so based on available space and the recommendation of the parent and kindergarten teacher. The council shall vote on the early enrollment at the meeting prior to child's fifth birthday. If approved, that seat will then become occupied for the purpose of continuous open enrollment. When more than one family applies for early enrollment at one time, the student's admission will be approved in the order of the child's age eligibility, (the child who turns five first).

## Open Enrollment for the Upcoming School Year

The open enrollment period for positions open in all grades starting for the following fall is from March 1 to April 15 (or the closest school day to the 15th). Enrollment applications may only be submitted during this period and must be received by 4 p.m. on the last day of the open enrollment period.

In the event that the number of enrollment applications exceeds capacity in a grade level, enrollees will be determined by a lottery in the following priority order until classroom capacity is met:

1. Siblings of existing FNCS students
2. Children of FNCS employees
3. Siblings of FNCS alumni
4. Students who were accepted by lottery but deferred their school start one year for readiness reasons and notified the school no later than one week after the start of the school year
5. All other applicants

The lottery will be held at the end of the next business day and acceptance notifications will be sent to parents through the mail. The list of accepted applicants will also be posted publicly at the school. The FNCS Director and at least one other school employee will conduct the lottery as a public event in order to ensure that lottery procedures are fairly executed. Procedures include announcing each applicant's name and lottery number and recording the number on paper.

All applications received during the open enrollment period will be included in the lottery. The lottery is conducted to determine applicants' classroom or waitlist placement. Your application will be valid for one year, until we open enrollment for the following school year. If we are unable to offer you enrollment in the year for which you applied, you must re-apply during the next year's open enrollment period.

We offer 22 student openings in kindergarten, first grade and second grade. All other grades will have available spots based on student attrition and configurations of combined grades, which generally begin in second or third grade. Classroom and grade level capacity is determined by the governing board.

## Admissions Requirements

Following California State Education Code, FNCS maintains the following minimum age requirements:

§ Transitional kindergarten: age five on September 2 through December 2 of the school year. Transitional kindergarten is the first year of a two-year kindergarten program and offers a modified curriculum pursuant the guidelines at the California Department of Education.

§ Kindergarten: age five on or before September 1 of the school year.

§ First grade: age six before September 1 of the school year they enter first grade.

Active parent support of the school through volunteering time and/or other resources and a firm commitment to provide a home environment that is conducive to learning are essential to student success. In particular, this means having a willingness to gain understanding of immersion education and to support their child's education in the home.

## Transitional Kindergarten

School personnel may make a recommendation for a transitional kindergarten student to advance directly to first grade. This recommendation will be based on the student's academic and social/emotional readiness as dictated by the California Department of Education. Parents must agree with this recommendation in order for the student to be enrolled in first grade following transitional kindergarten.

## Acceptance of Enrollment Slot

Initial rounds of offers are made by mail. It is the applicant's responsibility to keep the school informed of any change in contact information. To accept the slot parents are required to submit the entire enrollment packet to the main office by 4:00pm on the school day closest to May 2<sup>nd</sup>. Students with incomplete enrollment packets as of May 3<sup>rd</sup> will be placed at the end of the wait list. As a courtesy to other families, the school requests that parents confirm their enrollment intentions upon the receipt of their acceptance letter.

## Acceptance of Wait List Offers

Subsequent offers of enrollment are made through contacting applicants by phone or by email. It is the applicant's responsibility to keep the school informed of any change in contact information. When an applicant will be unreachable for a period of time, they may provide the school contact information for a proxy to respond with their acceptance or denial of the position.

- When an offer is made, FNCS requires that applicants notify the school within 48 hours to indicate whether or not they will accept; if offers are declined or applicants do not respond, the spot is then offered to the next applicant on the waitlist.
- FNCS records all dates and dialogue regarding enrollment activity for each applicant. Each applicant's enrollment application is kept on file while actively on the waitlist. Packets are destroyed when positions are declined or the waitlist expires.

In the event that a situation arises that is not covered by this procedure, the Fuente Nueva Charter Council will determine the fairest method for resolution of the issue. Students will be considered for admission without regard to ethnicity, national origin, gender or disability.

1. Fuente Nueva Charter School shall be nonsectarian in its programs, admission policies, employment practices, and all other operations. All teaching regarding culture and religion shall be done in a neutral manner.
2. Fuente Nueva Charter School shall not charge tuition for any and all educational activities. Parents and guardians will be invited to make donations in support of the arts and enrichment programs.
3. Fuente Nueva Charter School shall not discriminate against any pupil on the basis of race, religion, ethnicity, national origin, gender, gender identity, disability or other legally protected sub group by state or federal law.
4. Fuente Nueva Charter School shall admit all students who reside in California who wish to attend up to the school's capacity based upon space, staff or charter school policy. Specific enrollment policy and procedures can be found in section H, Admissions Requirements.

## **Element 9: Financial and Programmatic Audit**

### Governing Law

"The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority. CA Ed. Code § 47605(b) (5) (I)"

### Financial Audit

The Fuente Nueva Charter School will participate in the annual financial audit of the Arcata School District conducted by the independent auditors selected by the School District in accordance with state law. The audit will verify the accuracy of the school's financial statements, attendance, enrollment and accounting practices, and review the school's internal controls. The audit will be conducted in accordance with generally accepted accounting principles applicable to the school. To the extent required under applicable federal law, the audit scope will be expanded to include items and processes specified in

any applicable Office of Management and Budget Circulars. It is anticipated that the annual audit will be completed within six months of the close of the fiscal year and that a copy of the auditor's findings will be forwarded to the chief financial officer of the Arcata School District and the Fuente Nueva Charter Council (FNCC).

The FNCC will review any audit exceptions or deficiencies and report to the Arcata School District Board with recommendations on how to resolve them and a timeline of expected resolution. Any disputes regarding the resolution of audit exceptions and deficiencies will be referred to the superintendent of the district and the director of the charter school. In the event that the Arcata School district believes that the dispute relates an issue that could lead to revocation of the charter, this shall be specifically noted in a written dispute statement.

The superintendent and director shall informally meet and confer in a timely fashion to attempt to resolve the dispute. In the event that this informal meeting fails to resolve the dispute, both parties shall identify two members of their governing bodies who shall jointly meet with the superintendent and the charter school director to attempt to resolve the dispute. If this joint meeting fails to resolve the dispute, the superintendent and director shall meet to jointly identify a neutral, third party arbitrator. The form for the arbitration session shall be developed jointly by the superintendent and the director and shall incorporate informal rules of evidence and procedure unless both parties agree otherwise. The findings or recommendations of the arbitrator shall be non-binding, unless the governing board of the district and the Charter School Council jointly agree to bind themselves.

### Programmatic Audit

Reporting of programmatic and operational information shall be provided to the Arcata school District in annual performance reports when requested by the Superintendent of the district. The annual performance process, perhaps combined with a site visit, would serve as the centerpiece of future charter renewal processes, enabling the charter school to monitor its performance throughout its five-year term. Some contents of the annual programmatic performance audit and site visitation might include the following:

- Summary data showing student progress toward the goals and outcomes specified in our measurable pupil outcomes from assessment instruments and techniques listed that outline methods to assess pupil progress.
- An analysis of whether student performance is meeting the goals specified in measurable student outcomes.
- A summary of major decisions and policies established by the school's Charter Council during the year.
- Data on the level of parent involvement in the school's governance (and other aspects of the school, if applicable) and summary data from an annual parent and student satisfaction survey.
- Data regarding the number of staff working at the school and their qualifications.
- A copy of the school's health and safety policies and/or a summary of any major changes to those policies during the year.
- Data regarding level of parent involvement in the school's governance (and other aspects of the school, if applicable) and summer data from an annual parent and student satisfaction survey.
- Information demonstrating whether the school implemented the means listed in to achieve a racially and ethnically balanced student population.
- An overview of the school's admissions practices during the year and data regarding the numbers of students enrolled the number on waiting lists, and the numbers of students expelled and/or suspended.
- Analyses of the effectiveness of the schools internal and external dispute mechanisms and data on the number and resolution of disputes and complaints.
- Other information regarding the educational program and the administrative, legal, and governance operations of the school relative to compliance with the terms of the charter generally.
- A copy of the school's Health and Safety Code and/ summary of any changes to those policies during the year.

The charter council and Arcata School District will jointly develop the content, evaluation criteria, timelines, and process for the annual performance reports.

The school and granting agency will also jointly develop an annual site visitation process and protocol to enable the grantor to gather information needed to confirm the school's performance and compliance with the terms of this charter.

### Element 10: Pupil Suspension and Expulsion

The Fuente Nueva Charter School has developed student discipline policies. These policies are printed in the Operational Handbook and describe expectations regarding attendance, mutual respect, substance abuse, violence, safety, and work habits. Each student and his or her parent or guardian will be required to review and agree to the policies prior to enrollment.

Policy and its Procedures will be distributed as part of the Student Handbook and will clearly describe discipline expectations, including a description on how it will be updated and maintained. Corporal punishment shall not be used as a disciplinary measure against any student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

Any student who repeatedly violates the school's behavioral expectations will be required to attend a meeting with the charter director, the student's parent or guardian and classroom teacher (optional). Together, the parties will create a written agreement outlining future student conduct expectations, timelines, and consequences for failure to meet the expectations which may include, but are not limited to, suspension or expulsion.

Students who present an immediate threat to health and safety may be immediately suspended and later expelled by the school's governing board upon recommendation of the staff. Fuente Nueva Charter School's policies provide all students with due process ensuring the students constitutional rights and conform to applicable federal law while also enabling the school to maintain a safe learning environment. This policy shall serve as the Charter School's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. Charter School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. The school will notify the district of any expulsions and will maintain suspension/expulsion data.

#### Grounds for Suspension and Expulsion of Students

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

#### Enumerated Offenses

##### "Discretionary Suspension/Discretionary Expellable Offenses"

1. Caused/attempted to cause/threatened physical injury to another person
2. Willfully used force of violence upon the person of another, except self-defense
3. Possessed/used/sold/under the influence of any controlled substance
4. Selling controlled substances
5. Committed or attempted to commit robbery or extortion

6. Caused or attempted to cause damage to school property or private property
7. Stole or attempted to steal school property or private property.
8. Possessed or used tobacco or products containing tobacco or nicotine products
9. Committed an obscene act or engaged in habitual profanity or vulgarity
10. Possessed/sold/negotiated to sell drug paraphernalia
11. Disrupted school activities or otherwise willfully defied school authority
12. Knowingly received stolen school property or private property
13. Possessed an imitation firearm
14. Committed or attempted to commit a sexual assault/sexual battery
15. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding
16. Unlawfully possessed or sold prescription drug Soma
17. Engaged in, or attempted to engage in hazing.
18. Made terrorist threats against school officials and/or school property.
19. Committed sexual harassment, as defined in Education Code Section 212.5
20. Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
21. Intentionally harassed, threatened or intimidated a student or group of students/creating intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive
22. Engaged in an act of bullying
23. A pupil who aids or abets the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)
24. Possessed, sold, or otherwise furnished any knife

“Non- Discretionary Suspension/Discretionary Expellable Offenses”: Students must be suspended and recommended for expulsion:

- Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object

Non -Discretionary Expellable Offenses: Students must be expelled:

- Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object
- If it is determined by the Board that a student has brought a firearm or destructive device on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994.

## Suspension

### Suspension Procedures

Conference:

- At minimum the conference shall involve the director and parent,
- The purpose of the conference will be clearly stated as will the actions that will be taken, [including informing student of reason for the disciplinary action and evidence, and student will have the opportunity to present evidence in defense],
- School suspensions shall be assigned within two days,
- Students have the right to waive attendance, if they cannot or do not want to participate
- There will be no penalties imposed for the failure of the student’s parents to attend

- In an “Emergency situations” [clear and present danger to the lives, safety or health of students or Charter School personnel], the conference may be omitted

#### Notice to Parents/Guardians

- At the time of the suspension: an administrator or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person
- In writing: of the suspension, the specific offense committed by the student, and the date of return following suspension

#### Suspension Time Limits/Recommendation for Expulsion

- Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension.
- The pupil and the pupil’s guardian will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing based on 1) the pupil’s presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others.

### Expulsion

#### Authority to Expel

- The director shall make recommendations for expulsion to the Board (Fuente Nueva Charter Council) who shall have the final authority to expel.

#### Expulsion Procedures

- The expulsion hearing shall be held within thirty school days of the recommendation
- Hearing shall be held in closed session unless the Pupil makes a written request for a public hearing three days prior to the hearing
- Written notice of the hearing shall be forwarded to the student/parent/guardian at least ten calendar days before the date of the hearing and shall include: 1) The date and place of the expulsion hearing; 2) A statement of the specific facts, charges and offenses upon which the proposed expulsion is based; 3) Related Charter School’s disciplinary rules; 4) Notification of obligation to provide information about the student’s status at the Charter School to any other school district or school to which the student seeks enrollment; 5) The opportunity for the student or the student’s parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor; 6) The right to inspect and obtain copies of all documents to be used at the hearing; 7) The opportunity to confront and question all witnesses who testify at the hearing; 8) The opportunity to question all evidence presented and to present oral and documentary evidence on the student’s behalf including witnesses.

#### Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses

- Protection and non-disclosure of the witnesses and the use of sworn declarations in the hearing
- The complaining witness will be provided applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two adult support persons, (c) elect to have the hearing closed while testifying, have a room separate from the hearing room for the complaining witness’ use and breaks during the hearing, provide testimony during school hours.
- If the support person is also a witness, support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded
- Nothing shall preclude the presiding officer from exercising discretion to remove a person from the hearing whom is believed to be prompting, swaying, or influencing the witness

- If the pupil being expelled requests a public hearing, the complaining witness shall have the right to have his/her testimony heard in a closed session or alternative methods videotaped, etc.)

#### Record of Hearing

The hearing will be recorded by the Charter School.

#### Presentation of Evidence

- A recommendation to expel must be supported by substantial evidence
- Hearsay evidence is admissible, no decision to expel shall be based solely on hearsay
- Sworn declarations may be admitted as testimony from a protected witness
- The decision shall be in the form of written findings of fact and a written recommendation to the Board who will make a final determination regarding the expulsion. The final decision by the Board shall be made within ten school days following the conclusion of the hearing. The decision of the Board is final.
- If the Administrative Panel decides not to recommend expulsion, the pupil shall immediately be returned to his/her educational program.

#### Written Notice to Expel

- Written notice of the decision to expel shall include the Board's adopted findings of fact, notice of the specific offense committed by the student; and Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the Charter School.
- Assurances of notice to the authorizer including a) The student's name b) The specific expellable offense committed by the student

#### No Right to Appeal

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

#### Expelled Pupils/Alternative Education

- Pupils who are expelled shall be responsible for seeking alternative education programs

#### Readmission

- The decision to readmit a pupil or to admit a previously expelled pupil shall be in the sole discretion of the Board. If school allows, the petition outlines the process

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

- Notification of SELPA
- Services During Suspension: Students suspended for more than ten (10) school days in a school year shall continue to receive services
- Outlines Procedural Safeguards/Manifestation Determination: Within ten (10) school days of a recommendation for expulsion, Charter School, the parent, and relevant members of the IEP/504 Team shall review all relevant information in the student's file, including the child's IEP/504 Plan, any teacher observations, and any relevant information provided by the parents to determine: 1) If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; 2) If the conduct in question was the direct result of the local educational agency's failure to implement the IEP/504 Plan. If either is applicable, the conduct shall be determined to be a manifestation of the child's disability.

- If determined that the conduct was a manifestation of the child's disability, the IEP/504 Team shall: assess, implement a behavioral intervention plan, OR review the existing behavioral intervention plan and modify it,
- If determined that the behavior was not a manifestation of the student's disability and that the conduct in question was not a result of the failure to implement the IEP/504 Plan, then the Charter School may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

#### Due Process Appeals

- Request an expedited administrative hearing or by utilizing the dispute provisions of the 504 Policy and Procedures during which the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or forty-five days, whichever occurs first, unless agreed otherwise.

#### Special Circumstances

- A student can be moved to an interim alternative educational setting (but not more than forty-five days) without regard if student is charged with: a weapon at school, possesses/used/sold illegal drugs, or has inflicted serious bodily injury.

#### Interim Alternative Educational Setting

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

#### Procedures for Students Not Yet Eligible for Special Education Services

- A student who has not been identified may assert the procedural safeguards only if the Charter School had knowledge that the student was disabled before the behavior occurred, including
- The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write
- The parent has requested an evaluation of the child.
- The child's teacher, or other Charter School personnel, has expressed specific concerns
- The Charter School shall not be deemed to have knowledge of that the student had a disability if the parent has not allowed an evaluation, refused services, or if the student has been evaluated and determined to not be eligible.

### Element 11: Employee Benefits and Retirement System

Employee Benefits shall offered based on an employee's FTE and shall include but not be limited to: health and welfare benefits, sick leave, personal leave and long-term leave as required by law. The charter school ensures that payroll deductions and employer contributions are made to benefits such as Social Security and Workman's Compensation.

Staff at the Fuente Nueva Charter School will participate in the State Teachers Retirement System (STRS) and/or Public Employees Retirement System (PERS). Fuente Nueva Charter School retains the right to coordinate participation, as appropriate, with other reciprocal systems in the future, should it find that participation enables the school to attract and retain a higher quality staff. The District shall cooperate as necessary to forward any required payroll deductions and related data. The school shall pay the district a reasonable fee for the provision of such services.

### Element 12: Attendance Alternatives

All students who reside in the Arcata School District who choose not to attend the Fuente Nueva Charter School may attend other district schools or apply for an inter-district transfer to another school through the Arcata School District School Board.

## Element 13: Description of Employee Rights

The Charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code).

- Hiring supervision/evaluation and termination practices for Fuente Nueva Charter School employees will comply with all federal and state nondiscriminatory laws and statutes and will be governed by generally accepted fair labor practice. All Fuente Nueva Charter School employees will work under an at-will status and will undergo annual evaluations by the Director and a peer teacher. Re-election of the teacher occurs on an annual basis as per the process outlined in the FNCC Operational Handbook. Specific Personnel Rights and Responsibilities are also outlined in the FNCC Operational Handbook.
- Existing Arcata School District employee agreements or laws relating to school districts or school district personnel will not cover charter school employees. Arcata School District employees covered by existing employee agreements who transfer to the Fuente Nueva Charter School staff are no longer covered by these collective bargaining agreements. Employees covered by existing Arcata School District collective bargaining agreements who transfer into charter school programs retain the right to transfer back to appropriate positions in accordance with existing collective bargaining agreements.

## Element 14: Dispute Resolution

### Dispute Resolution

In any community, misunderstandings and conflicts inevitably arise. To this end, we have created guidelines to assist in problem solving, communication building, and conflict resolution.

### Disputes among Fuente Nueva Charter School Members

Parents, staff and community members who have a concern are asked to use the following flow chart to provide resolution to a dispute or concern.

Issues regarding personnel, support staff, teacher, or classroom issue

1<sup>st</sup> – talk to the Teacher

(If not resolved) 2<sup>nd</sup> – talk to the Director

(If not resolved) 3<sup>rd</sup> – enlist the aid of the FNCC Parent Liaison as a mediator

(If not resolved) 4<sup>th</sup> – becomes a closed session item on the FNCC agenda

Questions or concerns regarding the general school program (i.e. length of day, length of recess, supervision, lunch program, special classes offered, etc.)

1<sup>st</sup> – talk to the Director

(If not resolved) 2<sup>nd</sup> – enlist the aid of the FNCC Parent Liaison as mediator

(If not resolved) 3<sup>rd</sup> – becomes a closed session item on the FNCC agenda

Concerns regarding the administrative staff

1<sup>st</sup> – talk to the administrator involved

(If not resolved) 2<sup>nd</sup> – talk to the Director (unless the issue is with the Director)

(If not resolved) 3<sup>rd</sup> – enlist the aid of the FNCC Parent Liaison as mediator

(If not resolved) 4<sup>th</sup> – becomes a closed session item on the FNCC agenda

### Request for the creation of a new policy

1<sup>st</sup> – enlist the aid of the FNCC Parent Liaison as an advisor

Depending on the issue, the FNCC Parent Liaison will either direct you to a teacher, the director, or will add the issue to the next FNCC agenda

### Ideas for a fundraiser or a community event

1<sup>st</sup> – talk to the PTO

(If not satisfied) 2<sup>nd</sup> – talk to the Director

(If not satisfied) 3<sup>rd</sup> – enlist the aid of the FNCC Parent Liaison as mediator

(If not satisfied) 4<sup>th</sup> – becomes an item for the next FNCC agenda

If the FNCC, working with persons involved in the dispute, are unable to resolve the issue, council may be sought by Charter Council of the ASD District Superintendent, depending on the seriousness and degree of confidentiality required in the matter. Appealing to the District Superintendent is considered a failure of the dispute process and is highly undesirable. Any decision by the District Superintendent is considered final. Any possible appeal is outside the scope of this document.

The above flowchart is designed to build a climate of perpetual mutual respect, collegiality, and trust. When misunderstanding or conflict arises, it is essential to try to resolve the issue by speaking directly to the person(s) involved. It is imperative that the first step be for both parties to agree to meet formally and discuss the problem. If a mediator is desired, identify a willing and mutually acceptable third party. Charter Council members may take on this role but a mediator need not be a Charter Council member.

The following guidelines may be useful at this stage. In dealing with conflict, it is important to work on phrasing words in a way that is not blaming or judgmental. This technique can be used to facilitate positive and non-threatening dialogue. Refrain from using the words “always” and “never”.

E.g.:

“I feel \_\_\_\_\_ when \_\_\_\_\_ and I would like you to \_\_\_\_\_.”

“I feel \_\_\_\_\_ when \_\_\_\_\_ and I was hoping we could work together to \_\_\_\_\_.”

Active listening is essential in communication. Giving good eye contact to the speaker and allowing him or her to finish speaking without interrupting is key. In order to get the best clarity, it helps to repeat back to the person (in your own words) what he or she just said. It is also important to be aware of body language and tone of voice.

If the matter is not satisfactorily resolved by this method, both parties need to document the problem in writing, itemizing in particular, “This is the problem”, “This is what I have done” and “This is what I would like to see happen.” All parties need to submit their account of the situation to a FNCC member who will decide on future action.

If any party requests, the dispute will be put on the next Charter Council agenda as a closed session item. The FNCC representative involved in the issue is responsible for providing all supporting documents to the remaining membership in a timely fashion. The involved FNCC member will lead discussion of the issue. Any persons involved in the dispute must also attend the meeting, and will be called upon to speak as well. If the issue is serious, the FNCC will schedule a meeting more promptly. The goal of the FNCC is to mediate a resolution, or alternatively, prescribe a further course of action.

### Disputes between the School and the Charter-Granting Agency

For disputes regarding the terms of this charter or any other issue regarding the school and grantor’s relationship, both parties agree to follow the process outlined below.

In the event of a dispute between the school and the grantor, the staff, Charter Council, and Arcata School District agree to first describe the issue in written format and submit to the Superintendent of the District and the Director of the Charter School. In the event that the grantor believes that the dispute relates to an issue that could lead to revocation of the charter, this shall be specifically noted in the written dispute statement.

The Director and Superintendent shall informally meet and confer in a timely fashion to attempt to resolve the dispute. In the event that this informal meeting fails to resolve the dispute, both parties shall identify two members from each of their respective governing bodies who shall jointly meet with the Superintendent of the District and the Director of the School to attempt to resolve the dispute. If this joint meeting fails to resolve the dispute, the Superintendent and Director shall meet to jointly identify a neutral, third party arbitrator. The findings or recommendations of the arbitrator shall be non-binding, unless the Charter Council and grantor jointly agree to find themselves.

### Element 15: Employer Status and Collective Bargaining

The Fuente Nueva Charter School shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Education Employment Relations Act.

### Element 16: Procedures for School Closure

#### Governing Law

“A description of the procedures to be used if the charter school closes. The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.” CA Ed. Code § 47605(b) (5) (P).”

In the event that the Fuente Nueva Charter School closes, the assets and liabilities of the school will be disposed of by the school’s governing board to another charter school, non-profit, public school or other appropriate entity in accordance with the asset disposition provisions of the school’s bylaws. The governing board will attend to enumerating and disposing of the assets and liabilities as directed in the bylaws. There will be an independent final audit conducted 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.

- Closure has to be a Board decision and documented
- Identifies who is responsible for managing the closure process. This is ultimately the Board, but they can have a designee as long as budget allows

#### Notification with Timeline

- Parents, staff, and community stakeholders
- Authorizer, COE, SBE, SELPA, and other retirement systems, and other service providers

#### Management of Student Records

- Transfer of records to the district, assurances that they will be made in compliance with the Family Educational Rights and Privacy Act
- Providing copies to the parents
- Assurance that the school will assist in the placement in suitable programs

### Financial Records, Final Reports and Distribution of Assets

- Assurances will prepare final financial records, including audits by Dec 15th. The final audit will include an accounting of all financial assets, including cash and accounts receivable and an inventory of property, equipment, and other items of material value, an accounting of the liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation, and an assessment of the disposition of any restricted funds received by or due.
- Assurance that all academic reporting will be completed
- The Charter will complete and file any annual reports required pursuant to Education Code Section 47604.33
- Assurance that there is funds in the budget for final audit and to cover the cost of closure
- All assets, ( leaseholds, personal property, intellectual property, and all ADA apportionments and other revenues generated by students) will remain the sole property of the School and shall be distributed in accordance with the Articles of Incorporation upon the dissolution of the nonprofit public benefit corporation to another public educational entity
- Shall remain solely responsible for all debts and liabilities

## Appendix

Digital version contains Adobe Acrobat Documents Figures that will open upon a double click by the reader.  
Hard copy version has Adobe Acrobat Documents printed out.

- Bell Schedule and Instructional Minutes, Daily Schedule and School Calendar



Adobe Acrobat  
Document

Figure 1 Bell Schedule and Instructional Minutes



Adobe Acrobat  
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Figure 2 Daily Schedule



Adobe Acrobat  
Document

Figure 3 School Calendar

- Biographies of educational team



Adobe Acrobat  
Document

Figure 4 Biographies of educational team

- Tax Exempt Status Letter

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Adobe Acrobat  
Document

Figure 5 Tax Exempt Status Letter

- Cash flow, financial projections for the next 3 years and data to support academic success



Adobe Acrobat  
Document

Figure 6 Cash flow, financial for the next 3 years and data to support academic success

- *Current MOU (include SpEd agreement)*

- *Curriculum and instructional material samples*

- Emergency Disaster Plan



Adobe Acrobat  
Document

Figure 7 Emergency Disaster Plan

- Enrollment forms



Adobe Acrobat  
Document

Figure 8 Enrollment forms

- Lease



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Document

Figure 9 FNCS St. Mary's lease 2013

- Proof of Insurance



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Document

Figure 10 Proof of Insurance

- Sample Job Descriptions



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Document

Figure 11 Sample Job Descriptions

- School Brochure Spring 2015



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Document

Figure 12 School Brochure Spring