

# Charter

## 2010 Mountain Oaks School Charter Renewal A California Public Charter School School Approved 5/10/10 CCOE Board Approved 6/21/10

### I. DESCRIPTION OF MOUNTAIN OAKS SCHOOL

**Mission:** Mountain Oaks School's mission is to support home schooling families so that students develop the academic, personal, social skills and qualities of lifelong learners.

**Mountain Oaks School's Philosophy:** Mountain Oaks School (the "School") provides the opportunity for each student to be treated as a unique person with individual learning styles, needs, goals and interests. The Mountain Oaks philosophy is based on the belief that children grow and learn in different ways. The program is designed to meet unique personal and educational needs of students in grades K-12. This program is especially designed by and for home-school families working closely with qualified educational consultants who are knowledgeable and supportive of the home-school model.

**Description:**

Mountain Oaks School was established August, 1994 and converted to California Charter School #527 in July 2003 for students, grades K – 12 in Calaveras and adjacent counties. The school is nonsectarian and nondiscriminatory by gender, sexual orientation, ethnicity, religion, national origin or disability. Students who attend the Charter school receive a broad education based on personalized learning programs, subject-based workshops and classes, supplemental learning projects, and distance learning via current technology. Other student-centered services are also available.

The mission statement of the School is based on student needs, current educational research, and the beliefs of the participating stakeholders. The governing board of the School is the Board of Directors. Supported by the Calaveras County Superintendent of Schools, the staff of the County Office of Education, the Calaveras County Board of Education and led by the Board of Directors, the School's educational purpose is defined further by the Expected School-Wide Learning Results (ESLRs), which are specified in Section II of this document.

The School serves students and families who voluntarily choose to home school and who seek support for multiple aspects of their home school experience. The educational philosophy and program of the School provides that support through the development of the whole student in an enriched environment addressing each individual's learning needs and interests.

Families who enroll their children in the School accept the responsibility for their children's education. The parents/guardians of the students become the primary facilitators in the children's learning programs. The School empowers its students and parents/guardians by providing them with educational resources, a designated credentialed Mentor Teacher, and access to a supportive learning environment.

Students and parents/guardians work with their credentialed Mentor Teacher to determine educational goals and objectives, create an individualized curriculum, and determine individual methods of teaching and learning. The parent/guardian and the Mentor Teacher work together as a team to optimize the learning experience for each individual student. A contract is signed at enrollment and at the beginning of subsequent semesters, if offered, by 1) the parent/guardian responsible for their child's learning, 2) the certificated Mentor Teacher, and 3) the student. The contract specifies and documents curriculum, appropriate assessment strategies and models, cooperative learning projects and the commitment of each of these partners to a successful learning experience for the student.

The School has been fully accredited by the Western Association of Schools and Colleges (WASC) since June 28, 2001, (preliminary accreditation January 15, 1998 for three years) and recognized by the University of California Board of Regents as having a-g compliant courses since 2004. WASC accreditation guarantees the School coursework is transferable to other public high schools. The contract specifies which courses are college preparatory and thus eligible to meet college entrance requirements of the University of California and the California State University system.

## **II. EDUCATIONAL PHILOSOPHY, GOALS AND INSTRUCTIONAL STRATEGIES (CA Ed Code 47605 (b) (5) (A))**

### **EXPECTED SCHOOL-WIDE LEARNING RESULTS (ESLRs):**

ESLR#1: A Mountain Oaks School student develops and expands expressive and receptive communication skills in order to assure success in educational, social and occupational settings.

#### **Indicators of ESLR #1:**

Student demonstrates the mastery of communication skills by applying mathematics and scientific inquiry methodology effectively; completing research projects and presentations; writing critically; speaking confidently; using technology effectively and efficiently; seeking employment opportunities; successful application to advanced higher occupational and university studies.

Evaluation of ESLR #1 may include, but is not limited to:

A review of the student's performance on nationally and/or state-normed assessments, presentation of research papers or projects; completion of informal and/or formal

evaluation checklists at conferences with parents/student; website construction; video production; dramatic presentations; oral and/or written evaluations of public speaking or other presentation performances; completion of approved youth group projects, badges or honors according to rubrics (e.g., 4-H, Scouts, Grange, fraternal order youth groups, etc.); successfully completing community service learning experience; obtaining and maintaining employment; acceptance to advance occupational training and university enrollment.

ESLR#2: A Mountain Oaks School Student develops and communicates a well-reasoned personal mission and goals that exhibit a local and global awareness, empathy and understanding of diversity, and a genuine sense of social responsibility.

Indicators of ESLR #2:

Student recognizes his/her own special interests, talents, and abilities; develops decision-making skills; demonstrates knowledge of diverse cultures & respects individual differences; demonstrates awareness of his/her rights and the rights of others; assumes responsibility as a member of a family, the community, and the world.

Evaluation of ESLR #2 may include, but is not limited to:

Development of personal goals based on learning styles and personal passions and priorities including the identification of and solution to problems; participation in various workshops, science camps, leadership trainings, fine arts, and/or hobbies; organized sports; youth and community groups as well as work experience and/or apprenticeships; attendance at multicultural events such as Earth Day or Share Days at Mountain Oaks; personal travel; demonstrating knowledge of the U.S. Constitution and amendments, as well as knowledge of state and local government; participation in teen clubs/groups/student council that develop rules and protocols; contributing time, energy and talent to improve the welfare of self and others, such as recycling at home and/or at Mountain Oaks School; participation in community gardens or in other various community service projects.

ESLR #3 A Mountain Oaks School Student achieves individual academic excellence by engaging in rigorous standards-based learning activities.

Indicators of ESLR #3:

Student demonstrates the mastery of key state academic standards by his/her competency in those skills necessary to apply mathematics and scientific inquiry methodology effectively; research projects and presentations; write critically; speak confidently; use technology effectively and efficiently. Student demonstrates a mastery of core knowledge and skills in English/Language Arts, Mathematics, History/Social Sciences, and Science ability to apply core knowledge and skills.

Evaluation of ESLR #3 may include, but is not limited to: Mentoring and tutoring other students; portfolios of work samples with formal/informal assessment by teachers; participation in standardized and/or criterion-referenced tests; participation in academic competitions and clubs; presentations to the School community of senior projects and/or portfolios; scoring of standards-aligned rubrics; scoring of benchmark and end of course assessments; completion of STAR assessment at “proficient or advanced” levels in, grades 2-11; completion of specific, measurable long and short term goals at “proficient” or “advanced” levels.

The School fills a need in the community to support home schooling families. The School is directed by an administration that is willing to listen to and commit public resources to support the needs of home-schooled students.

The primary learning arrangement is one-to-one mentoring through appropriate matching between student and Mentor Teacher using student-tailored curriculum. Workshops and other means of direct instruction are based upon student need, fulfillment of California state standards requirements, Mountain Oaks graduation requirements and student/parent interest.

An educated student is a confident, life-long learner who can communicate successfully, think creatively, reason logically, manage resources effectively, and understand and apply personal talents, strengths, and abilities. Students are given opportunities to make responsible decisions. Every student is valuable and deserves respect. All students learn in different ways and the process of learning is as important as the content. Experiential instruction focuses on the real world and purposeful tasks. The overall goal is to make life-long learners of all students.

The School is committed to providing direct instruction and enrichment opportunities. These include, but are not limited to resources such as workshops, on-line instruction, access to junior college coursework, community resources and/or individual tutoring by staff for students identified through FST’s (family study team meetings) and/or through assessments as needing extra help or needing enhanced academic challenges.

Instruction blends at-home study with on-site classes and online programs of high quality—students deserve the opportunity to have instruction delivered in a meaningful and accessible manner, with parental involvement an essential element of the experience. Use of technology (Internet, software applications, web design, and presentation software) is encouraged.

Instruction is targeted to the four core subject areas: Language Arts/English; Mathematics; Science; Social Science/History. Participation in activities supporting school ESLRs is encouraged.

All interventions and classes are evaluated and assessed for effectiveness. All Mentor Teachers attend meetings for collaboration and program development and receive continuous in-service trainings and best practices during the school year.

The School encourages ongoing professional development activities for Mentor Teachers, promotes innovation and improvements in curricula, educational software, and communication with students and parents, and makes constructive refinements in assessment systems and proficiency standards.

Philosophically, the School embraces the belief that families want what is best for their children, and views their input and participation in school affairs from that perspective. Parents see their children as “whole persons” on a continuum rather than from the static “grade level” point of view of conventional schools and educators. California Academic Content Standards, as approved by the State Board of Education, are integrated into the overall scope of a child’s mental, physical and emotional needs. This is accomplished by family involvement in the “greater School community” setting, and through the use of resources identified above. This whole-child approach allows for individual differences in interests, and developmental readiness for educational experiences.

The School takes advantage of many materials and opportunities to support home schooling, including resources aligned to state approved academic content standards that support student mastery of key standards. Families are encouraged to seek out community resources in support of School ESLRs (Expected School-wide Learning Results).

Museum visits and camps specializing in “hands on” and experiential learning may be incorporated into the learning program, as are both national and international travel opportunities. The School maintains an interactive website which enables families in rural settings to stay in close contact with the School community. Coursework taken at Community Colleges is available to home schooled students. Service learning and job opportunities are combined with the state-approved Mountain Oaks School Work Experience Program. Many students are active in scouts, 4-H, sports, and other youth groups.

Broad, overall program goals:

- To allow for schooling to take place in the home, supporting parental efforts to integrate the learning environment into the home setting.
- To empower families to find and use community resources for learning experiences.
- To develop the highest degree of self-motivation, self-confidence, self-reliance, responsibility and potential within each student.
- To provide opportunities for students to develop independent thinking, problem solving and cooperative learning skills.

- To develop competence in practical skills such as organization, time management, self-monitoring, self-evaluation, and other life skills.
- To challenge each student to excel in areas of special interest.
- To develop and foster global awareness, empathy and understanding and a genuine sense of social responsibility.
- To assist parents in developing teaching and communication skills that facilitate learning.
- To encourage student and parent resourcefulness.
- To motivate and enable students to become lifelong learners and teachers.
- To empower parents/guardians to continue as lifelong learners and students.
- To enhance and integrate the development of each student emotionally, socially, physically, creatively, and cognitively.
- To encourage effective personal skills: the ability to set goals and maintain a course of progress; to develop resources regarding retention/memory techniques; to develop good organizational and study skills; to participate in community activities; to identify and develop personal strengths; to maintain health and good nutrition; to seek employment and higher education; to demonstrate honesty, respect and discipline.

### **III. MEASURABLE STUDENT OUTCOMES (CA Ed Code 47605 (b) (5) (B))**

“Pupil outcomes” for purposes of this element, 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 education program (Education Code Section 47605(b)(5)(B)).

While most students achieve the required standards by graduation, not all progress at the same rate. We expect that our students will attain:

- STAR “proficient” or “advanced” levels in grades 2-11;
- Progress toward “proficient” or “advanced” levels in regularly administered current school wide standards-based assessments;
- Progress toward graduation;
- 8<sup>th</sup> grade competency;
- CAHSEE proficient pass rates.

Annual goals are developed for each student, including individual learning plans. Progress is measured by benchmark and end of course (EOC) standards-based assessments. Assessment informs instruction. Frequent monitoring through assessment is fundamental to progress toward state standards and establishing mastery of grade appropriate skills and delivery of instruction. Progress is also documented by mastery of school ESLRs.

#### **IV METHODS OF ASSESSMENT AND USES OF DATA (CA Ed Code 47605 (b) (5) (C))**

Methods of assessment include but are not limited to the following:

- The current state mandated assessment tool (e.g. STAR);
- The current High School Exit Examination (e.g. CAHSEE) mandated by California Department of Education (CDE);
- School wide standards-based assessments;
- Periodic review of contracted academic work as outlined in the Master Agreement/Contract;
- Portfolios with work samples that demonstrate growth and mastery
- Mentor Teacher/parent observations;
- Percentage of seniors meeting college/junior college entrance requirements;
- Proficiency tests as part of eighth grade graduation requirements;
- Student demonstrations/projects measured with rubrics;
- Student grades and credits;
- Mastery of School ESLR's.

All assessments are aligned to state content and curriculum standards. Assessments can include formative, summative, holistic, standardized, narrative, standards-based and norm-referenced instruments.

A student identified as below “proficient” at the start of the School year will progress at least one performance level in one or more core subject areas by the end of the school year, with the exception of Special Education students, whose Individual Education Plans (IEP's) specify their individual progress.

Family Support Team (FST) meetings establish the responsibilities of all stakeholders and provide specific recommendations of action for students not at “proficient” academic levels.

If students are identified as below “proficient” and do not meet the performance level criteria stated above in core subject areas by the end of the school year, they may be required after an FST, to participate in the School's Response To Intervention model (RTI), direct instruction and/or core curriculum classes as a part of their continuing enrollment in the School. FST meetings establish the responsibilities of all stakeholders and provide specific recommendations of action for students not at “proficient” academic levels.

Students may be recommended for educational opportunities elsewhere if a consistent gap in grade level performance persists or if the family is unable to provide suitable learning opportunities.

## **V. GOVERNANCE STRUCTURE (CA Ed Code 47605 (b) (5) (D))**

The School is a California Public Benefit (501(c)(3) Corporation pursuant to California law. The school is governed pursuant to By-Laws as adopted by the incorporators, and as subsequently amended pursuant to the amendment process specified in the By-Laws. All formal and legal governance is the responsibility of the Board of Directors.

The Board of Directors is comprised of seven voting members and two various non-voting members in accordance with the By-Laws. The By-Laws call for voting representation of parents/guardians of enrolled students and community members not employed by the School. The Board of Directors includes members who have legal, financial, home schooling and other community involvement expertise. At his/her option, the Calaveras County Superintendent of Schools may name a non-voting representative to the Mountain Oaks Board of Directors to facilitate communications and mutual understanding between the School and County Board of Education. One high school student may be included as a voice of the student body.

Staff members are not eligible to serve as a Board Director on the governing board. Family members of staff may be eligible to serve as a Board Director on the governing board.

The terms of Board members, and method of election appears in the By-Laws. The Board of Directors major roles and responsibilities include establishing, reviewing and approving all major educational and operational policies and contracts; establishing and maintaining fiscally sound budget practices; informing the larger community with regard to the operation of the school; evaluating the effectiveness of school programs; establishing and maintaining committees; selecting, supervising and evaluating administrative staff; and conducting expulsion hearings, with protocols for appeal on technical issues to the Calaveras County Board of Education.

Responsibility for interviewing and evaluating new hires, both classified and certificated, establishing curriculum, administering student discipline up to and including suspension, and managing discretionary budgeting are prerogatives of the Administrators.

The Board of Directors decisions take into consideration reports and recommendations that may be brought forward from committees authorized by the Board. Board Members, staff, community members, parents, and students serve on committees. The number and frequency of meetings of the Board and committees during the School year are noted in the By-Laws.

The Board maintains a strong commitment to obtaining broad-based parental and student input, honoring parental, student, staff and community communication. The Board meetings are conducted in accordance with the Brown Act.

The School may contract with the Calaveras County Board of Education for such educational, business, and personnel services as are identified in separate Memoranda of Understanding (MOU). The terms of the Memoranda of Understanding are noted therein. The Employer of Record is referenced in the MOU.

**VI. QUALIFICATIONS TO BE MET BY INDIVIDUALS TO BE EMPLOYED BY MOUNTAIN OAKS SCHOOL (CA Ed Code 47605 (b) (5) (E))**

The School retains teaching staff that holds appropriate California teaching credentials, permits, or other documents issued by the Commission on Teacher Credentialing. The School also employs or retains non-certificated instructional support staff as workshop instructors. A prospective non-certificated staff member must have subject matter expertise, professional experience, and/or the demonstrated capacity to work successfully in an instructional support capacity. All classified staff members possess experience and expertise appropriate for their position within the School as outlined in the School's personnel policies.

Credentialed Mentor Teachers are responsible for overseeing the students' academic progress and for issuing credits, grades and making matriculation decisions.

**VII. PROCEDURES THAT THE SCHOOL WILL FOLLOW TO ENSURE THE HEALTH AND SAFETY OF STUDENTS AND STAFF (CA Ed Code 47605 (b) (5) (F))**

The School complies with all applicable laws concerning immunization, health and safety, child abuse reporting and related issues for both employees and students. All employees comply with and otherwise furnish criminal record summaries in accordance with Education Code section 44237 (Michele Montoya Act). The School functions as a drug-, alcohol-, weapon- and tobacco- free workplace and learning environment. Policies and procedures are established for response to natural disasters and emergencies, including fires and earthquakes. These policies are incorporated as appropriate into the School's student and staff handbooks and are reviewed on an ongoing basis in the School's development activities.

**VIII. MEANS BY WHICH MOUNTAIN OAKS SCHOOL WILL ACHIEVE A RACIAL AND ETHNIC BALANCE AMONG ITS STUDENTS THAT IS REFLECTIVE OF THE GENERAL POPULATION RESIDING WITHIN THE TERRITORIAL JURISDICTION OF THE SCHOOL DISTRICT TO WHICH THE CHARTER PETITION IS SUBMITTED (CA Ed Code 47605 (b) (5) (G))**

The School enjoys a reputation as being a safe environment for students of diverse backgrounds. The School; maintains respect for and appreciation of differences is consistent with school-wide goals. The School's orientation information reflects the school's emphasis on respect and inclusion.

## **IX. STUDENT ADMISSIONS AND ATTENDANCE POLICIES (CA Ed Code 47605 (b) (5) (H))**

The School provides its primary educational services in Calaveras County and five surrounding counties. The majority of the pupils it serves are residents of Calaveras County, the county in which the school is authorized as required by SB 1994. Appropriate levels of growth of enrollment at the main resource center and satellite facilities are revised and voted upon yearly by the Board of Directors. The School complies with all laws establishing the minimum and maximum age for public school attendance.

The School identifies the following admission requirements and parameters:

- The School is non-sectarian and does not discriminate based upon race, religion, or creed.
- Students are considered for admission without regard to religion, ethnicity, national origin, gender, sexual orientation or disability.
- Students must legally satisfy all state and locally required immunizations.
- Students are considered for admission based on the School's ability to serve the student's needs, and availability of an appropriate match between the student/family and a credentialed Mentor Teacher on staff as set forth in the Admission policies and as determined by the Admissions Committee.
- Special needs students with an active IEP or a 504 Plan are considered for admission based on the School's ability to serve the student's needs and availability of an appropriate match between the student/family, a credentialed Mentor Teacher and Resource Specialist on staff as set forth in the Admission policies and as determined by the Admissions Committee.
- Admission preference is given to qualified siblings of currently enrolled students, to students who have left the program and are returning within one year, and to children of staff members. After consideration of admission preferences, as provided herein, and in the event that the number of students who wish to attend the School exceeds the School's capacity, a waiting list is maintained on a chronological basis subject to Mentor Teacher availability and the ability to match students with an appropriate Mentor Teacher.
- Prior to admission, contracts are signed by parents/guardians and students indicating they understand and are committed to home-schooling precepts consistent with the educational goals stated in Section II of this Charter, and that the students' continued enrollment is dependent upon fulfilling the terms of the contract.

## **X. AUDIT OF FINANCIAL AND PROGRAMMATIC OPERATIONS (CA Ed Code 47605 (b) (5) (I))**

### Financial audit:

The School annually obtains findings of a financial audit conducted by an independent auditor. Audit reports are completed and available for review by the School members and the public and submitted to the Calaveras County Board of Education by October 31 of each year. All audit exceptions and deficiencies would be resolved as determined by state law. The School shall strive to have a reserve account of 10% but not less than the state required minimum percentage of funds generated by Average Daily Attendance (ADA).

As outlined in Education Code section 47604.3, the School will promptly respond to all reasonable inquiries, including, but not limited to, inquiries regarding its financial records, from the Calaveras County Board of Education or from the Superintendent of Public Instruction and shall consult with the Calaveras County Board of Education or the Superintendent of Public Instruction regarding any inquiries. The School's budgets are presented to the Calaveras County Board of Education for review on the same annual schedule as the budget review/adoption process for the Calaveras County Office of Education.

### Programmatic audit:

The School's administrative staff conducts a programmatic audit annually and presents a report to the School's Board of Directors and the Calaveras County Board of Education. The report contains all pertinent data to indicate the degree to which Charter School goals are being met. The report for the previous school year is presented to the Calaveras County Board of Education annually as stipulated in the By-Laws.

## **XI. THE PROCEDURES BY WHICH STUDENTS CAN BE SUSPENDED OR EXPELLED (CA Ed Code 47605 (b) (5) (J))**

The School maintains a comprehensive set of student discipline policies. These policies are printed and distributed as part of the School's student handbook and clearly describe the School's expectations regarding attendance, mutual respect, substance abuse, violence, safety, and work habits. Failure to comply with the terms set forth in the student handbook or contract may be cause for disenrollment from the School after due process.

Each student and his parent or guardian is required to verify that they have reviewed and understand the policies prior to enrollment. Any student who violates the School's

behavioral or academic expectations are required to attend a Family Support Team (FST) meeting with the School's staff and the student's parent/guardian. If the student is 18 years or older, the parent/guardian is not required to attend the FST. The School will prepare a specific, written remediation agreement outlining future student conduct expectations, timelines, and consequences for failure to meet the expectations that may include, but are not limited to, suspension or disenrollment.

A School administrator, pursuant to the School's adopted policies, disciplines and ultimately suspends or recommends Board action to expel students who fail to comply with the terms of a remediation agreement. An administrator may immediately suspend students who present an immediate threat to health and safety, and the Board may expel such students upon a recommendation from administration.

The School's policies provide all students with an opportunity for due process, including appeal rights to the Board of Directors, and to Calaveras County Board of Education. The Board observes confidentiality regarding all individual student discipline matters. The School includes suspension and expulsion data in its annual programmatic review report.

## **XII. THE MANNER BY WHICH STAFF MEMBERS OF MOUNTAIN OAKS SCHOOL WILL BE COVERED BY STRS, PERS, OR FEDERAL SOCIAL SECURITY (CA Ed Code 47605 (b) (5) (K))**

Staff members of Mountain Oaks School participate in STRS, PERS, or Social Security depending upon the employment class of which each individual is a member.

## **XIII. THE PUBLIC SCHOOL ATTENDANCE ALTERNATIVES FOR STUDENTS RESIDING WITHIN THE SCHOOL DISTRICT WHO CHOOSE NOT TO ATTEND MOUNTAIN OAKS SCHOOL (CA Ed Code 47605 (b) (5) (L))**

Attendance at this School is voluntary on the part of the students who enroll. Attendance in district of residence public schools continues to be an option for all students who do not choose to attend the School.

## **XIV. RIGHTS OF ANY EMPLOYEE OF CALAVERAS COUNTY OFFICE OF EDUCATION UPON LEAVING THE COUNTY TO WORK IN MOUNTAIN OAKS SCHOOL (CA Ed Code 47605 (b) (5) (M))**

Any employee who leaves Calaveras County Office of Education to work in Mountain Oaks School does not have any pre-emptive "rights to return" to employment at the Calaveras County Office of Education nor do staff employed in other CCOE programs have rights to any position under the authority of the Mountain Oaks Board of Directors. Staffs from either entity may not "bump into" positions in the other entity during a "reduction of staff process."

## **XV. CONFLICT RESOLUTION (CA Ed Code 47605 (b) (5) (N))**

Disputes arising from within the School, including all disputes among and between students, staff, parents, volunteers, advisors, partner organizations, and Board members of the School, are resolved pursuant to policies and processes developed by the School and indicated in its By-Laws.

The Calaveras County Board of Education (Grantor) agrees not to intervene or become involved in a dispute unless the dispute has given the Board of Education reasonable cause to believe that a violation of this Charter or related laws or agreements has occurred, or unless a majority of the Board of Directors has requested the Calaveras County Board of Education to intervene in a dispute.

In the event that the School or granting agencies have 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 administrative staff and School's Board of Directors and the Calaveras County Board of Education first agree to frame the issue in written format and refer the issue to the School administration and the County Superintendent of Schools. 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 School administration and the 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 governing board members from their respective Boards who shall jointly meet with the Superintendent and the School administration and attempt to resolve the dispute. If this joint meeting fails to resolve the dispute, the Superintendent and School administration shall meet to jointly identify a neutral, third party arbitrator. The format of the arbitration session shall also be developed jointly 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 Board of Directors of the School and Grantor jointly agree to bind them.

#### **XVI. A DESCRIPTION OF THE PROCEDURES TO BE USED IF THE SCHOOL CLOSSES (CA Ed Code 47605 (b) (5) (P))**

If Mountain Oaks School should close, a final audit would be conducted by the auditing agency selected by the Calaveras County Superintendent of Schools. The Superintendent of Schools would supervise disposition of all assets and liabilities. Net assets purchased with public funds would be transferred to the Calaveras County Office of Education (CCOE). CCOE would assume responsibility for the maintenance and transfer of pupil records.

**XVII. A DECLARATION WHETHER OR NOT MOUNTAIN OAKS SCHOOL WILL BE THE EXCLUSIVE PUBLIC SCHOOL EMPLOYER OF MOUNTAIN OAKS SCHOOL EMPLOYEES (CA Ed Code 47605 (b) (5) (O))**

Per current annual Memorandum of Understanding, the Calaveras County Superintendent of Schools is the employer of record. Staff is supervised by School administration and is retained or dismissed by the Superintendent of Schools after review and recommendation by the School's Board of Directors. The School follows the Personnel Policies and Procedures of the School's Governing Board and Government Code 3540. All other pertinent and applicable personnel laws, both state and Federal, are followed, pursuant to policies and processes developed by the School and indicated in its By-Laws.

The School's Board of Directors reserves the right to review this MOU annually to determine who will be the exclusive public school employer.

**XVIII. ADDITIONS, DELETIONS AND MODIFICATIONS OF THE CHARTER**

The School's Board of Directors may make amendments to this Charter, and all changes must be approved by the Calaveras County Board of Education.

**XIX. OTHER CHARTER ELEMENTS**

Mountain Oaks School contracts with the Calaveras County SELPA and other educational agencies for identification of special education needs and for provision of needed services.

The School obtains liability insurance that meets the approval of the Calaveras County Office of Education, including director and officer liability insurance, and errors and omissions liability insurance for board members and administrative staff.

The School is nonsectarian in its programs, admission policies, employment practices, and all other operations as provided for in the California State Constitution, Article IX Section 8 that states:

"No public money shall ever be appropriated for the support of any sectarian or denominational school, or any school not under the exclusive control of the offices of the public schools; nor shall any sectarian or denominational doctrine be taught, or instruction thereon be permitted, directly or indirectly, in any of the common schools of this State."

This School does not discriminate against any student on the basis of ethnicity, religion, national origin, gender, sexual orientation or disability. This Charter does not charge tuition.

The School abides by AB 1994, Paragraph 47605.1 (3) (e), which states:

“Notwithstanding any other provision, a Charter school may establish a resource center, meeting space or other satellite facility located in a county adjacent to that in which the Charter school is authorized if the following conditions are met:

- (1) The facility is used exclusively for the educational support of pupils who are enrolled in non-classroom based independent study of the Charter school
- (2) The Charter school provides its primary educational services in, and a majority of the pupils it serves are residents of, the county in which the school is authorized.”

## **XX. TERM OF CHARTER**

The term of this Charter shall begin on July 1, 2010 upon agreement between the Grantor, the Calaveras County Office of Education as the Local Education Agency (LEA) and by the School’s Board of Directors, and expires five years thereafter.

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