

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

Lead Petitioner agrees that the Resolutions provided below in response to the SCUSD written ev  
Additionally, Lead Petitioner agrees that the Resolutions provided below will be incorporated as

Name: Christie Wells-Artman

Date: 20, 2019

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Concern # Concern Title

Petition/A Resolution  
Appendix  
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1.a. Lack of a Reasonably Comprehensive Description

of New Requirements of Charter Schools

1.b. Inadequate Consideration for Scholars with

Disabilities

2.a. Nondiscrimination

3.a (i.) Technology

3.a (ii.) Specific Annual Goals for Each Subgroup of Pupils

3.b Governance

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Appendix 1.b

Appendix 3.a (i.)



3.g. Suspension and Expulsion Procedures

3.h. Procedures for School Closure

4. (not 3) Impact on District

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Appendix 1. a

Comprehensive Description of New Requirements of Charter Schools: AB  
1360

Charter School Admissions Preferences:



## LEGISLATIVE COUNSEL'S DIGEST

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

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

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

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

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

The bill also would authorize a charter school to encourage parental involvement, but would require the charter school to notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, the charter school.

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

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

### SECTION 1.

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

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

- (b) Ensure that charter school discipline policies are fair and transparent.
- (c) Ensure that a pupil's constitutional right to due process is protected at charter schools.
- (d)





considered transferable and courses approved by the University of California or the California State University as creditable under the "A to G" admissions criteria may be considered to meet college entrance requirements.

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

(C) The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability card.

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

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

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

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

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

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

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

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

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

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

(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.

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

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

(K) The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System (SRS) shall be the same as that provided for in the State Teachers' Retirement System Act, 1977 (Public Law 101-540) (66 Stat. 444) as amended. The charter school shall enter into a written agreement with the school district

) The charter school shall be responsible for the cost of the pupil's transportation to and from the charter school and for the cost of the pupil's transportation to and from the school site. The procedures to be followed by the charter school and the district shall be set forth in the charter school's operating agreement. The procedures to be followed by the charter schools shall be the same as those provided for in the State Teachers' Retirement System Act, 1977 (Public Law 101-540) (66 Stat. 444) as amended.

6T) The charter school shall be responsible for the cost of the pupil's transportation to and from the charter school and for the cost of the pupil's transportation to and from the school site. The procedures to be followed by the charter school and the district shall be set forth in the charter school's operating agreement. The procedures to be followed by the charter schools shall be the same as those provided for in the State Teachers' Retirement System Act, 1977 (Public Law 101-540) (66 Stat. 444) as amended.

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

(2) In assuming its role as a chartering agency, the state board shall develop criteria to be used for the review and approval of charter school petitions presented to the state board. The criteria shall address all elements required for charter approval, as identified in subdivision (b), and shall define "reasonably comprehensive," as used in paragraph (5) of subdivision (m)-12(vi-s)ubdi1ou1 ipplh002 o(l)-2u(oj)-h4 aoBDCaa-1( so2tMC /r)3(e4(ppr2(e)4(m)-12()-2(-5p12(t)-2(i)-2 a)6ndee4(d i)-

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

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

## SEC. 2.5.

Section 47605 of the Education Code is amended to read:

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

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

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

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

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

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

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



(iii) If the proposed charter school will serve high school pupils, the manner in which the charter school will inform parents about the transferability of ~~courses~~ other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the "A to G" admissions criteria may be considered to meet college entrance requirements.

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

(C) The method by which pupil progress in meeting ~~those~~ pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.

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

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

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

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

and cross-examine adverse witnesses, and at which the pupil has the right to legal counsel or an advocate.

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

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

(i) Each type of preference shall be approved by the chartering authority at a public hearing.  
(ii) Preferences shall be consistent with federal law, the California Constitution, and Section 200.  
(iii) Preferences shall not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.

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

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

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

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

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

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

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

petitioners as academically low achieving pursuant to the standards established by the

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

(m) A charter school shall transmit a copy of its annual, independent financial audit report for the preceding fiscal year, as described in subparagraph (l) of paragraph (5) of subdivision (b), to its chartering entity, the Controller, the county superintendent of schools of the county in which the charter school is sited, unless the county board of education of the county in which the charter school is sited is the chartering entity, and the department by December 15 of each year. This

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

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

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





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

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

(B) If the number of pupils who wish to attend the charter school exceeds the charter school's

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

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

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

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

(l) Teachers in charter schools shall be required to hold a Commission on Teacher Cred countyat de(e)  
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Appendix 1. b

Support Documentation of Inadequate Consideration for Scholars with Disabilities



## Appendix 3.a (i.)

### Technology

As stated in the charter renewal, the educational plan supports developing educated people for the 21<sup>st</sup> Century. We feel an educated person in the 21<sup>st</sup> Century has a firm foundation in the basic academic skills of reading, writing, mathematics, and science. In addition to being academically prepared (i.e., book smart) an educated person is linguistically, socially, and culturally prepared to meet new exp

## 2019-20 One Stop Budget

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

### Adaptive Technology Supports for Scholars with Learning Disabilities

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

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

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

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

## Listening

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

## Math

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

## Organization and memory

Adaptive technology tools can help a person plan, organize, and keep track of his calendar, schedule, task list, contact information, and miscellaneous notes. These tools allow him to



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

Portable word processors

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

### Word-prediction programs

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



Appendix 3.a (ii.)

Please see listed subgroups and goals below:

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

STATE PRIORITY #2 - IMPLEMENTATION OF COMMON CORE STATE STANDARDS	
Implementation of Common Core State Standards, including how EL students will be enabled to gain academic content knowledge and English language proficiency	
SUBPRIORITY ACCSS IMPLEMENTATION	
GOAL TO ACHIEVE SUB PRIORITY	NJB will increase student proficiency in both ELA and Math. <del>Math</del> include all subgroups: Special Education, English Language Learner, <del>Low</del> socioeconomic, African American, Hispanic/Latino and Foster Youth
ACTIONS TO ACHIEVE GOAL	Specific and detailed actions are listed throughout Element 1. Additionally, <del>participate</del> participate in ongoing professional learning around the ELA/ELD framework and (GLAD) Guided Language ASUB

-PRIORITY BEL STUDENTS & ACADEMIC CONTENT KNOWLEDGE	
GOAL TO ACHIEVE SUB PRIORITY	English learners will achieve <del>designation</del> designation criteria at increased <del>rates</del> rates.
ACTIONS TO ACHIEVE GOAL	Specific and detailed actions are listed throughout Element 1. EL students will engage in scaffolded content instruction with high levels of rigor as their English proficiency is addressed through integrated and designated ELD.
MEASURABLE OUTCOME	Scholars will move a level each year and <del>classify</del> classify as English proficient.

METHODS OF MEASUREMENT	ELPA assessment and benchmark.
SUBPRIORITY - EL STUDENTS & ENGLISH LANGUAGE PROFICIENCY	
GOAL TO ACHIEVE SUB PRIORITY	ELs at Intermediate or below will increase their English proficiency.

4th Grade 10%  
5th Grade 10%  
6th Grade 10%

Sub groups:  
Special Education 6%  
English Language Learner 7%

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

Hispanic/Latino and Foster Youth.

individuals with exceptional needs, and the program and services that are provided to benefit these pupils as a result of the funding received pursuant to Section 42238.02, as implemented by Section

MEASURABLE OUTCOME	Scholar will be at grade level readiness and master foundational skills.
METHODS OF MEASUREMENT	Measure pupil progress in common assessments, benchmarks, and exit tickets.

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

I. First-Year Operational Budget  
February 15, 2019

A. Summary of revenue and expenditures for 2019: (Revenue) \$1,000,000; (Expenditures) \$1,100,000; (Net Loss) \$100,000. [Redacted]



## B. Revenue assumptions

- 1.' Enrollment of 300 pupils with ADA of 94%. Generally, enrollment peaks during the third school month. When projecting enrollment, we assumed

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

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

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

3.' UPP at 87.70% in 2019-20. Apparently, more students new to NJB in 2018-19 did not qualify for the Free-Reduced Meal program. This reduced the

4.' Carryover. Currently, there is a projected carryover from 2018-19 of \$142,468.03. It is

Table 6. Rates set by the state

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

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

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

Table 9. Annual rates for district administrative services

X students enrolled the 3 <sup>rd</sup> school month	2014-15 actual	2015-16 actual	2016-17 actual	2017-18 actual	2018-19 May 2018 projected	2019-20 13% increase	2020-21 13% increase	2021-22 13% increase
Accounting	10.46	11.67	10.89	26.98	28.33	32.01	36.17	40.88
Budget - including student attendance	21.72	20.3	22.56	25.84	27.13	30.66	34.64	39.15
Human Resources	67.22	72.75	72.95	84.01	88.21	99.68	112.64	127.28

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

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

### II. Start-U p Costs

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

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

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

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

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









#### IV. Financial Projections for the First Three Years of Operation

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

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

In 2019-20, we expect an annual current-year funding increase of approximately \$71,000.00 compared to last year's level. This is due mainly to increasing the enrollment by threei661nng t4()-10010(t)18(o

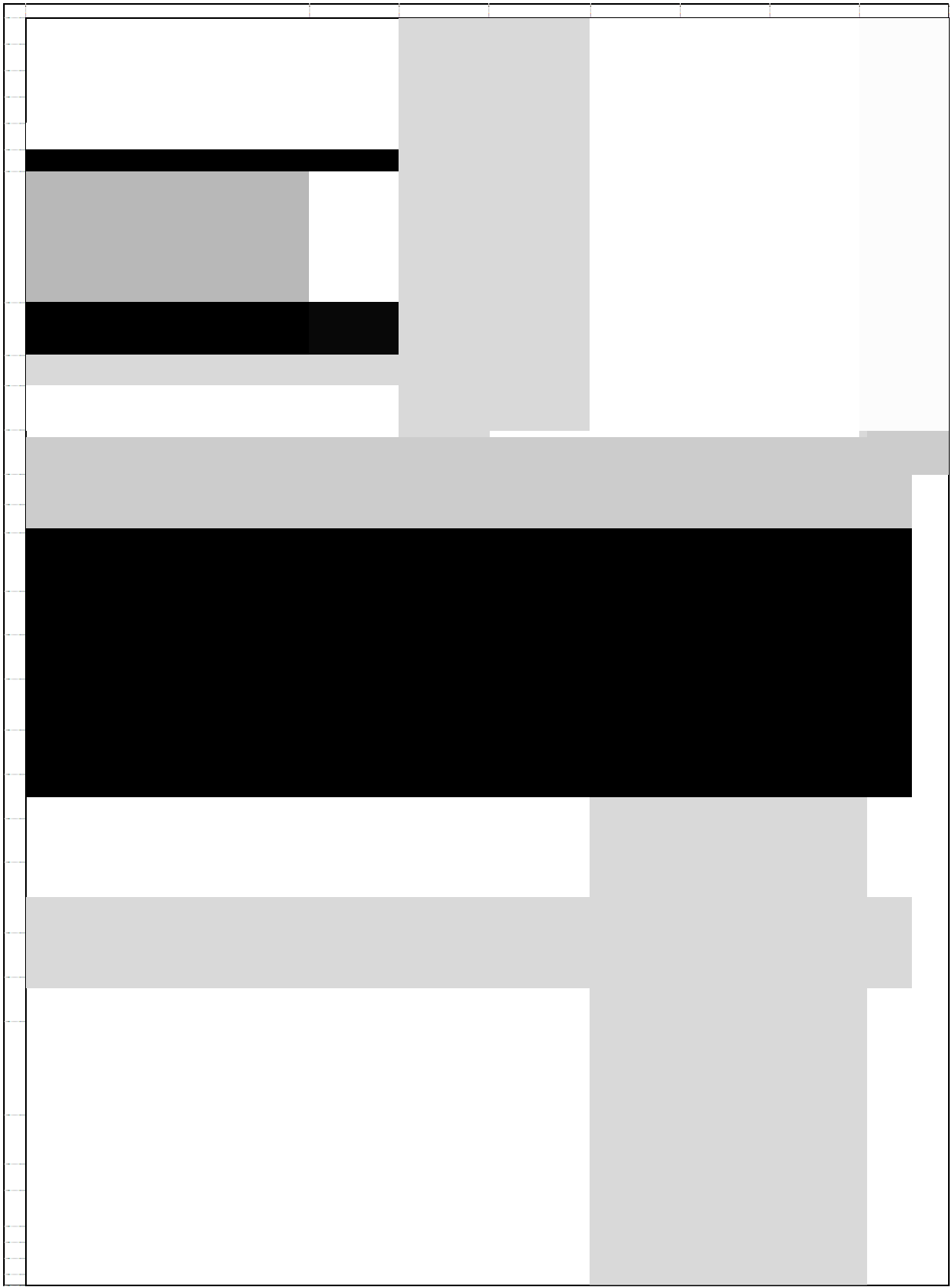


V. Line-by



S a b R e c e								T a :
A c a	52,508.00	14,946.00	2,314,742.31	56,400.00	200,200.09	407,604.14	3,046,400.54	
E e d e	2,952.83	14,256.39	2,225,265.95	52,858.88	143,151.89	404,811.67	2,843,297.60	
M e e e	-	-	(87,949.77)	-	-	-	(87,949.77)	
W B a a c e	49,555.17	689.61	1,526.59	3,541.12	57,048.20	2,792.47	115,153.16	
C e c S :								
! "#\$%&'()*+,-./:0#,%1,2'34* , ( ) "+, '.#\$' ) 35, +1+) \$, 6'	3010 T e 1 SW: e c e d	6300 R e c e d L e c d l c a e	0000 U e   c e d c d e : 1   l e e , 2) e c e d e (3) a d a e d   a , 4) L C F F b a e a 1400,0007,0009	1400 EPA e f a d e	0009 LCFF C e a L E P	0007 LCFF S e e a G a F e e & R e d c e d	T a	
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2253 C d c a e T e 1. \$13/ .8 / 10 \$13.	1,040.00	-	-	-	-	-	1,040.00	
2221 1.0 FTE c d a . R a l e 34 C 5.	-	-	37,539.52	-	-	-	37,539.52	
2224 c d a e e . \$32.00 2018-19.	-	-	-	-	-	-	-	
2221 1.0 FTE a a a l e . R a l e 43 C 5 2018-19.	-	-	44,823.00	-	-	-	44,823.00	
2222 8 d a f c d a a d 8 d a f a a l e c a e e e d c e a e .	-	-	2,560.00	-	-	-	2,560.00	
2204 F d S e c e e e f c e e c e .	-	-	1,000.00	-	-	-	1,000.00	

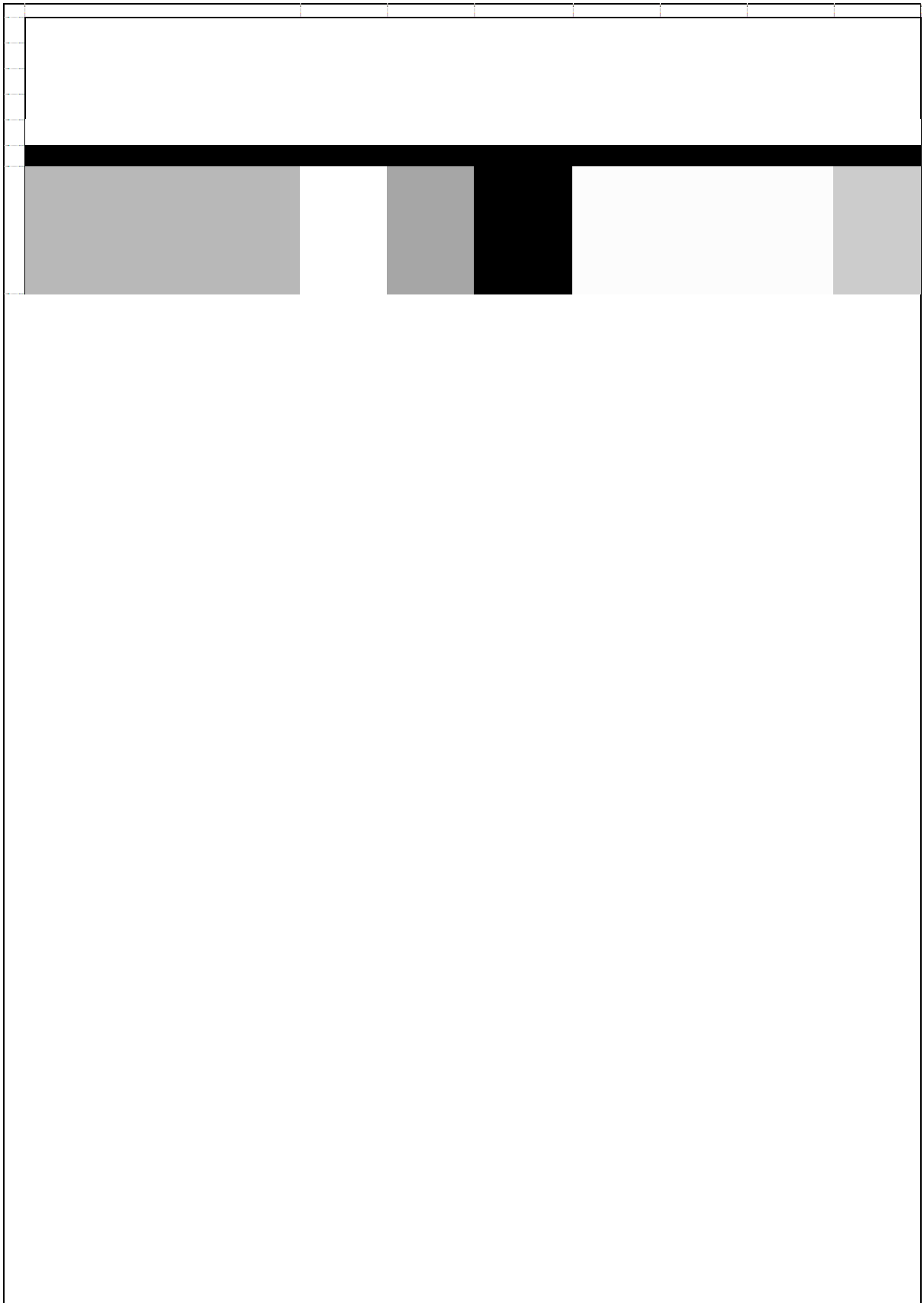






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### **Appendix 3.g.**

#### **Suspension and Expulsion Procedures**

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

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

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

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

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

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

of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform him or her of the right to initiate

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

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

a4 Robbery or extortion.		no	yes 5 days	yes
a5 Assault or battery upon a school employee.		no	yes 5 days	yes
1. Acts of Violence [E.C. 48900(a)]		Alternative to Suspension	May Suspend	May Recommend Expulsion
a1 Caused, attempted to cause, or threatened to cause physical injury to another person.	may be considered	yes 3-5 days		yes
a2 Willfully used force or violence upon another person, except in self-defense.	may be considered	yes 5 days		yes
2. Weapons and Dangerous				

Possession or use of tobacco or nicotine products.	may be considered	yes	yes
9. Profanity, Obscene Acts, Vulgarity [E.C. 48900(i)]	Alternative to Suspension	May Suspend	



Harassed, threatened, or intimidated a scholar who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that scholar from being a witness and/or

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

Habitual truant [E.C. 48262]  
(Warning letter #3)

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## **The Suspension Process**

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

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

B. Pre-suspension conference. Suspension shall be preceded, if possible, by a conference conducted by the Principal or the Principal's designee with the scholar and his or her parent and, whenever practical, the teacher, supervisor or school employee who referred the scholar to the Principal. At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense. The purpose of the conference is to provide due process and to establish the truth of the matter based on the evidence provided.

The conference may be omitted if the Principal or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety, or health of scholars or school personnel. If a scholar is suspended without this conference, both the parent/guardian and scholar shall be notified of the scholar's right to return to school for the purpose of a conference. This conference shall be held within two school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. The conference shall then be held as soon as the scholar is physically able to return to school for the conference.

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

When a teacher suspends a student from class, the teacher shall immediately report the suspension to the principal and send the student to the principal or the designee for appropriate action. As soal c0(e)4()-6(e)opri o theio0( te[(n)2(o)2) tergenc ehe-2(nc)4(i)-(-)-12(g)10(ua)-6(r)-7(di)-2(a)4(n t

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

D. Suspension time limits.

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

NJB recognizes that exclusion from school by means of suspension or expulsion are consequences given as a last resort. At NJB, a set of discipline procedures reflecting this philosophy will be developed.

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

- Causing serious physical injury to another person, except in self-defense.
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hearing three (3) days prior to the hearing.

Written notice of the hearing shall be forwarded to the scholar and the scholar's parent/guardian

to take the testimony during other hours.

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

7. If one or both of the support persons is also a witness, the school must present evidence that the witness's presence is both desired by the witness and will be helpful to the school. The person presiding over the hearing shall permit the witness to stay unless it is established



reasonable persons can rely in the conduct of serious affairs. A recommendation by the Hearing Office to expel must be supported by substantial evidence that the scholar committed an expellable offense.

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

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

The decision of the Hearing Office shall be in the form of written findings of fact and a written recommendation to the Board who will make a final determination regarding the expulsion. The final decision by the district Board shall be made within ten (10) school days following the conclusion of the hearing. The decision of the SCUSD Board is final.

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

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

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

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

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

The Board's decision to expel shall be final.

G. Rehabilitation plans. Scholars w

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

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

## **7. Disciplinary Records**

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

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

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

### **Due Process for Scholars with Disabilities**

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

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

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



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

*(1) A conference between school personnel, the pupil's parent or guardian, and the pupil.*