

NATOMAS UNIFIED SCHOOL DISTRICT

Resolution No. 16-16

IN THE MATTER OF: Renewing the Charter granted to Natomas-Pacific Pathways Prep (NP3)

The following RESOLUTION was duly passed by the Board of Trustees of the Natomas Unified School District, at a regular meeting held on the 22nd day of June, 2016, by the following roll call vote:

B. Teri Burns	_____
Scott Dosick	_____
Ryan Herche	_____
Susan Heredia	_____
Lisa Kaplan	_____

Signed and approved by me after its passage:

B. Teri Burns, President

Attest:

Ryan Herche, Clerk

WHEREAS, pursuant to Education Code section 47607, the renewal of a charter shall be governed by the standards and criteria set forth in Education Code section 47605; and

WHEREAS, Natomas-Pacific Pathways Prep (NP³) (“Charter School”) was first authorized and granted a charter (“Charter”) by the Natomas Unified School District’s (“District”) Board of Trustees in 2006 and subsequently renewed thereafter with the current term ending on June 30, 2016;

WHEREAS, Tom Rutten (“Petitioner”) submitted a petition (“Petition”) to the District on or about May 13, 2016, to renew the Charter for a five (5) year term commencing on July 1, 2016 through June 30, 2021 (Attached hereto as “Exhibit A”); and

WHEREAS, a public hearing to determine the level of support for renewal of the Charter by teachers, other employees of the District, and parents/guardians in accordance with Education Code section 47605(b) was held on June 8, 2016; and

WHEREAS, in reviewing the Petition for renewal of the Charter, the Board of Trustees are cognizant of the intent of the Legislature that charter schools are, and should become, an integral part of the California educational system, and that establishment of charter schools should be encouraged; and

WHEREAS, in accordance with Education Code Section 47607(a)(3)(A), the Board of Trustees has considered increases in pupil academic achievement for all groups of pupils served

by the Charter School as the most important factor in determining whether to grant the Charter School's renewal request; and

WHEREAS, in accordance with California Code of Regulations, Title 5, Section 11966.4(b)(1), in considering renewal of the Charter the Board of Trustees considered the past performance of the Charter School's academics, finances, and operation and future plans for improvement in evaluating the likelihood of future success; and

WHEREAS, on May 13, 2014, all charter school authorizers were notified by the California Department of Education that on March 13, 2014, the State Board of Education approved not calculating the 2014 Growth and Base Academic Performance Indexes (APIs) and the 2015 Growth API. Accordingly, three alternatives were authorized by Assembly Bill 484 to meet legislative and/or programmatic requirements that would otherwise depend upon those API calculations: (a) the most recent API calculation; (b) an average of the three most recent annual API calculations; or (c) alternative measures that show increases in pupil academic achievement for all groups of pupils school wide and among significant student groups; and

WHEREAS, pursuant to Education Code Section 47607(b), charter schools must meet certain academic performance criteria, primarily based on API calculations, thus the notice from the California Department of Education provides alternative academic performance criteria to be used in considering renewal of charters; and

WHEREAS, the Superintendent, and/or his designees, have reviewed the Petition and supporting documentation submitted.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Board of Trustees is satisfied that the documentation submitted by the Charter School establishes that there have been increases in pupil academic achievement for all groups of pupils school wide and among significant student groups as required by Education Code Section 47607, and as those requirements have been modified in conformance with the direction from the California Department of Education pursuant to the State Board of Education's suspension of the calculation of APIs; and

BE IT FURTHER RESOLVED AND ORDERED that the Board of Trustees having fully considered and evaluated the Petition, hereby approves the Petition for a five (5) year term, commencing on July 1, 2016 and ending on June 30, 2021.

BE IT FURTHER RESOLVED AND ORDERED that the District Superintendent or his designee is authorized and directed to take such other action as he may deem warranted to implement this Resolution, including the execution of a new Memorandum of Understanding and any other agreements setting forth the arrangement and agreement between the parties in furtherance of the Charter as approved herein.

BE IT FURTHER RESOLVED AND ORDERED that pursuant to Education Code section 47605(i), the Petitioners shall provide written notice of the Board of Trustee's approval of renewal of the Charter, and shall provide a copy of the Charter, to the Sacramento County Superintendent of Schools, and the California Department of Education.

CERTIFICATION

State of California)
)
County of Sacramento) ss.

I certify the above is a true copy of a Resolution adopted by the Board of Trustees of the Natomas Unified School District at a regular meeting on Wednesday, June 22, 2016.

Dated: June 22, 2016

BOARD OF TRUSTEES OF THE NATOMAS
UNIFIED SCHOOL DISTRICT, COUNTY OF
SACRAMENTO, STATE OF CALIFORNIA

By: _____

CHRIS EVANS
Superintendent

EXHIBIT A

**CHARTER OF
NATOMAS PACIFIC PATHWAYS PREP (NP³)**

**Application to Renew the Charter for
Natomas-Pacific Pathways Prep (NP³)
as a California Public Charter School**

**Submitted to Natomas Unified
School District for Renewal
May 2016**

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School Location

This charter authorizes the operation of Natomas-Pacific Pathways Prep as a charter school that will operate at one site within the geographic boundaries of Natomas Unified School District, as authorized pursuant to Education Code § 47605.

ASSURANCES

As the authorized representatives of the applicant, the P20 Consortium, we hereby certify that the information submitted in this application for renewal of the charter for Natomas-Pacific Pathways Prep (NP³) located within the boundaries of the Natomas Unified School District (“District”) is true to the best of our knowledge and belief; we also certify that this application does not constitute the conversion of a private school to the status of a public charter school; and further, we understand that, if awarded a renewal of the charter, Natomas-Pacific Pathways Prep:

1. Will meet all statewide standards and conduct the student assessments required, pursuant to Education Code § 60605, and any other statewide standards authorized in statute or student assessments applicable to students in non-charter public schools. *[Ref. Education Code § 47605. (c)(1)]*
2. Will be deemed the exclusive public school employer of the employees of the charter school for purposes of the Educational Employment Relations Act. *[Ref. Education Code § 47605.(b)]*
3. Will be nonsectarian in its programs, admissions policies, employment practices, and all other operations. *[Ref. Education Code § 47605(1)]*
4. Will not charge tuition. *[Ref. Education Code § 47605(d)(1)]*
5. Will admit all students who wish to attend the school and who submit a timely application, unless the school receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a random lottery process and application of public criteria. *[Ref. Education Code § 47605(d)(2)(B)]*
6. Will not discriminate against any student on the basis of race, ethnicity, national origin, religion, gender, sexual orientation, perceived sexual orientation, home language, or disability. *[Ref. Education Code § 47605(d)(1)]*
7. Will adhere to all applicable provisions of federal law related to students with disabilities including, but not limited to, § 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and the Individuals with Disabilities in Education Improvement Act of 2004.
8. Will meet all requirements for employment set forth in applicable provisions of law, including, but not limited to, necessary professional credentials. *[Ref. Title 5 California Code of Regulations § 11967.5.1(f)(5)]*
9. Will ensure that teachers in the school hold a Commission on Teacher Credentialing credential, permit, or other document equivalent to that which teachers in other public schools are required to hold. As allowed by statute, flexibility will be given to non-core,

non-college preparatory teachers. [Ref. California Education Code § 47605(l)]

10. Will at all times maintain all necessary and appropriate insurance coverage.
11. Will follow any and all other federal, state, and local laws and regulations that apply to the school, including, but not limited to the following:
 - Natomas-Pacific Pathways Prep will maintain accurate and current written records that document all pupil attendance and will make these records available for audit and inspection.
 - Natomas-Pacific Pathways Prep will consult on a regular basis with its parents and teachers regarding the school's educational programs.
 - Natomas-Pacific Pathways Prep will comply with any jurisdictional limitations to location of its facilities.
 - Natomas-Pacific Pathways Prep will comply with all laws establishing the minimum and maximum age for public school enrollment.
 - Natomas-Pacific Pathways Prep will comply with all applicable sections of the *Every Student Succeeds Act*.
 - Natomas-Pacific Pathways Prep will comply with the *Public Records Act*.
 - Natomas-Pacific Pathways Prep will comply with the *Family Educational Rights and Privacy Act*.

I. INTRODUCTION AND FOUNDING GROUP

Introduction

Natomas-Pacific Pathways Prep (“Charter School” or “NP³”) will educate students in grades 9-12. The school will offer an academic and co-curricular program that is themed-based and that will appeal to students in Natomas and the Sacramento area. For its initial year, the school will offer a law and public service-themed program modeled after the School of Law and Public Service at Sacramento Charter High School, where the University of the Pacific has been a collaborating partner for the past three years. As the school evolves, Natomas-Pacific Pathways Prep will explore expanding its theme base into other areas in which the University of the Pacific is expert—e.g., education, pharmacy, dentistry, engineering, and international studies.

Natomas-Pacific Pathways Prep is committed to academic excellence and a comprehensive program that will engage a diverse student population—at least as diverse as the Natomas population generally. Key to the program will be a small school environment where students will know and be known individually by their teachers and staff, high expectations, a college-culture, rigorous and analytical coursework, co-curricular opportunities that take advantage of the pedagogy inherent in legal education, and opportunities to build sustained and intense relationships with others. It is envisioned that the work of NP³ will fall into four clusters: 1) integration of analytical and rigorous law-themed courses and programs into curricular and co-curricular activities; 2) implementation of both a mentor program and guest speaker series aimed at aspirational concerns; 3) opportunities to understand and experience college life; and 4) additional partnership-focused activities.

Natomas-Pacific Pathways Prep began operation in the 2006-07 school year with 82 students. Enrollment has increased each of the last 9 years, with a current enrollment of 588 students.

Founding Group — Description, Experience & Relationships

The founding group for Natomas-Pacific Pathways Prep is the P20 Consortium, a non-profit corporation organized under the laws of the State of California.

The P20 Consortium was organized to form a structure where professional schools, colleges, and universities can work collaboratively with P12 educators in ways that will result in an exemplary education for disadvantaged and underrepresented youth, an expanded pool of qualified applicants along the education pipeline, and increased diversity in colleges and in

the professions. More specifically, the P20 Consortium seeks to increase students' educational aspirations, their persistence in school, and their academic achievement. To these ends, the P20 Consortium works with local schools and educators, state organizations, and a national consortium of similarly interested cross-education teams involving law schools, medical schools, schools of education, four-year colleges, P12 institutions, and other education leaders and policy makers.

As an informal organization, the P20 Consortium has already successfully worked locally with a small law-themed model school on curriculum development and implementation, regionally with the State Bar of California to develop a series of pipeline initiatives involving the bench and bar in ongoing school relationships, and nationally with a consortium of similar professional school/college/P12 teams, including those that have comprehensive, integrated pipeline programs and those that operate themed charter schools. An evaluation funded by a grant from California's James Irvine Foundation and focused on the work of the University of the Pacific and the UC Davis Health Systems as professional partners with the School of Law and Public Service and the School of Health Sciences at Sacramento Charter High School specifically informs this application with respect to curriculum, co-curricular activities and programs, school organization, and governance.

As part of the P20 Consortium, teachers, students, and staff in Natomas-Pacific Pathways Prep will have the opportunity to work with other high school and college students, teachers, counselors, and principals affiliated with the consortium, as well as with such educational organizations and leaders as the Johnson Foundation, the Education Commission of the States, ETS, the College Board, the Law School Admission Council, the American Bar Association, the Santa Anna P18 Partnership, and others in the consortium's national network, which is known as the Wingspread Consortium named for the Johnson Foundation facilities in Racine, Wisconsin, where the group first met in 2003.

Operation of Natomas-Pacific Pathways Prep will be delegated by the P20 Consortium to a separate seven-member Board that will include representatives of the P20 Consortium, the Natomas Unified School District, and the broader community. It is anticipated that the Board will employ an experienced principal, counselor and teachers, with specific experience with goals similar to those articulated for Natomas Pacific Pathways Prep. The governance structure for NP³ is described in detail in Section IV of this application.

CHARTER RENEWAL CRITERIA

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

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

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

The following shall serve as documentation confirming the Charter School exceeds the statutory criteria required for renewal as set forth in Education Code Section 47607(b) (See also Exhibit 2: CDE DataQuest Reports, 2010-2014):

- The Charter School has achieved a statewide API rank of 8 or higher in the last three years, exceeding the minimum threshold rank of 4 required in Education Code Section 47607(b)(2).
- The Charter School has achieved a similar schools API rank of 5 or higher in the last three years, exceeding the minimum threshold rank of 4 required in Education Code Section 47607(b)(3).

Over the prior charter term, the Charter School had the following API scores:

2010-2014 API Scores					
Year	API Statewide Ranking	API Similar Schools Ranking	API Growth Scores	API Growth Target (Actual Growth)	Met School Growth Target?
2013-2014 and 2014-15	State-mandated testing suspended in 2013-14; API data not calculated or reported (see Note below). 3-Year Average API: 805 2013 Statewide Rank: 8 2013 Similar Schools Rank: 5				
2012-2013	8	5	816	A	Yes
2011-2012	8	2	805	A	Yes
2010-2011	8	2	796	A	Yes
“A” means the school or student groups scored at or above the statewide performance target of 800. (Source: CDE DataQuest, accessed June 1, 2016.)					

NOTE ON 2013-14 AND 2014-15 TESTING DATA

Assembly Bill 484 amended Education Code sections 52052(e)(2)(F) and 52052(e)(4) to allow schools that do not have an API calculated in 2013–14 and 2014–15 to use one of the following criteria to meet legislative and/or programmatic requirements:

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

The decision to use one of the above criteria may be made on a program by program basis and is a local decision. (Source: CDE Information Guide, *Status of the Academic Performance Index and 3-Year Average*, May 2014, available at: <http://www.cde.ca.gov/ta/ac/ap/>; also see CDE Charter Renewals FAQs, Section 11, *Academic Performance Determinations for Charter Renewal*, available at: <http://www.cde.ca.gov/sp/cs/re/csfaqsect11.asp>)

ANALYSIS OF CHARTER RENEWAL CRITERIA

NP3's API growth scores have far exceeded the statewide performance target of 800 in the last three years; in 2013, the API growth score was 816, and the 3-Year Average API is 805. Therefore, NP3 has scored high enough that the school has not been assigned a growth target for the last three years and is noted to have met its growth target for each year. Moreover, for the last three years, NP3 has had a statewide and similar schools API rank of 8/2] or higher. Therefore, NP3 has exceeded the charter renewal standards of Education Code Section 47607(b) by meeting not just one but two charter renewal criteria, and should be granted a five-year charter renewal term pursuant to Education Code Section 47607(a)(1).

II. EDUCATIONAL PHILOSOPHY AND PROGRAM

Mission and Educational Philosophy

The mission of Natomas-Pacific Pathways Prep is to work with the Natomas Unified School District in a collaborative effort to reach out to students in Natomas and Sacramento County and neighboring counties who are underrepresented in the professions and to then move these students successfully along the pipeline from high school to college and into professions and positions of leadership. The goal of NP³ is to engage these students of diverse backgrounds in their education; to encourage their persistence and success in a rigorous academic curriculum and co-curricular program (using a law and public service-themed approach in the initial year and other profession-themed approaches in successive years); to provide students with rigorous and interactive learning activities; and to foster a college-culture that leads to matriculation to college, graduate or professional education, and adulthood as an engaged citizen and leader.

Equally important to the mission and goals of NP³ is establishment of a safe learning environment and significant and ongoing relationships with caring and involved adults through mentoring and internships, as well as through the regular school environment. By focusing on rigor, relationships, and exposure to expanded horizons through internships, college, and community, NP³ will develop educated citizens for the 21st century who can think analytically and be constructively involved in critical national and international issues.

Graduates should have the academic skills, the subject matter knowledge and understandings, and the personal skills to be successful in higher education and later in their careers, as well as the motivation and competencies to be lifelong learners. Central to the success of the school is the belief that all students who are given the opportunity to engage in a rigorous theme-based curriculum can achieve high academic standards, even though they may enter high school with different strengths, weaknesses, and life experiences.

High School Program

Natomas-Pacific Pathways Prep will inform parents of the transferability of courses to other high schools, as well as the eligibility of courses to meet college entrance requirements. Upon enrollment, and subsequently as necessary, the counselor at NP³ will provide information regarding the transferability of courses to other high schools. Additionally, students will be informed about college entrance requirements during sessions and programs conducted by the counselor. Prior to enrollment and course selection each term, students will be especially reminded of UC and CSU course requirements as they develop their course schedules.

Students To Be Served

Natomas-Pacific Pathways Prep will target a diverse group of students in grades 9-12 who are representative of the demographics of the Natomas community and the state.

The School will continue with a law and public service-themed curriculum, but other profession-oriented themes may be explored for addition to the curriculum as the school evolves.

Curriculum and Instructional Design

The Charter School's academic curriculum shall consist of the basic concepts, content goals, and skills instruction reflected in the Common Core State Standards (CCSS), or California State Content Standards when applicable, in English/language arts, science, mathematics, and history/social science. Academic skills and concepts proposed by the Common Core State Standards will be linked directly and specifically to concepts and themes explored in the classroom. The Charter School is dedicated to documenting student achievement of the CCSS each year through state-mandated pupil assessments.

The instructional approach of Natomas-Pacific Pathways Prep will be site-based. It will offer remedial approaches where necessary. The professional staff members in NP³ are consistently focused on high expectations and accomplishments. Coursework is geared to California standards and to UC and CSU eligibility. Instructional design encompasses both curricular and co-curricular activities, and involves both traditional and creative teaching methods. In addition, both the curricular and co-curricular activities in the school incorporate the theme of law and public service, reinforcing the goal of ensuring that graduates are ready to be engaged citizens and leaders.

Plans for Particular Groups of Students

As indicated in the four subsections that follow, Natomas-Pacific Pathways Prep is cognizant of its legal obligations to serve all students, including academically high and low achieving students, students who are English language learners, and special education students who need accommodations and/or special services defined by federal and state legal requirements. Within the context of a college culture and high academic expectations, NP³ will integrate these students into its programs as often as feasible, and it will contract with the district as appropriate in order to evaluate and meet their needs.

Plan for Students Who Are Academically Low Achieving

Natomas-Pacific Pathways Prep is committed to the academic success of all students and believes that all students can achieve high standards, even though they may enter NP³ with different strengths, weaknesses, and life experiences. In collaboration the teachers, counselor, and principal in NP³ will provide the following instructional services for students who are achieving below grade level in their academic studies:

- Differentiated instruction within classes to address the individual needs of low achieving students
- Focused instruction on basic skills, particularly literacy and numeracy

- Individualized lesson plans developed with students' advisory teachers
- Tutoring and mentoring programs focused on academic skills
- Extended day activities for strengthening students' academic skills

Students at NP³ will not be excluded for academic underperformance, but the school may adopt a retention policy to ensure high standards and academic success for all students.

Plan for Students Who Are Academically High Achieving

In collaboration the teachers, counselor, and principal in Natomas-Pacific Pathways Prep will provide the following for students who are achieving above grade level in their academic studies:

- Differentiated instruction within classes to address the individual needs of high achieving students
- Honors and Advanced Placement courses
- Summer enrichment courses offered at NP³ and other schools.
- A mentor program involving graduate students and professionals in law and public service
- Opportunities to complete courses for high school and college credit at American River College during both the regular school year and summer
- Enrichment activities targeted to law and public service, e.g., a speaker series, participation in moot court and mock trial programs
- An internship program that will place qualified students in work settings in law and public service agencies

Plan for Students Who Are English Language Learners

Given the commitment of Natomas-Pacific Pathways Prep to rich cultural diversity in its student enrollment, the school may enroll a greater proportion than most schools of students for whom English is a second language. The Charter School will meet all applicable legal requirements for English Learners ("EL") as it pertains to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, re-classification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. The Charter School will implement policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents. The teachers, counselor, and principal in NP³ will, therefore, make special efforts to ensure the academic success of these English language learners and teachers will be trained to use Specially Designed Academic Instruction in English (SDAIE) techniques to meet the needs of EL students.

A. Home Language Survey

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

B. CELDT Testing

The Charter School will provide all students who indicate that their home language is other than English with the California English Language Development Test (“CELDT”) within thirty days of initial enrollment and at least annually thereafter between July 1 and October 31st until re-designated as fluent English proficient.

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

The Charter School will also provide the following for these students:

- All applicable legal requirements relative to Home Language Surveys, annual notification to parents, student identification, and appropriate student placement
- Access to both the school’s core curriculum and to special structured English immersion instruction
- Annual assessments to ensure that students are receiving proper instruction
- Qualified teachers who are prepared to work with English language learners
- Opportunities through standardized testing and other assessments for students to be reclassified to Fluent English Proficiency (FEP)
- Ongoing monitoring and evaluation of the programs and activities targeted to English language learners

In summary, the professional staff at NP³ will work with their colleagues in Natomas Unified School District to develop and implement policies and practices that will ensure proper placement, instruction, evaluation, and communication with English language learners and their parents.

Plan for Special Education Students and Section 504

Natomas-Pacific Pathways Prep pledges to collaborate with Natomas Unified School District to ensure that all students are served in accordance with applicable federal and state laws, including all laws affecting individuals with exceptional needs: all provisions of the *Individuals with Disabilities Education Improvement Act (IDEIA)*, § 504 of the *Rehabilitation Act of 1973 (§504)*, and the *Americans with Disabilities Act (ADA)*. All students will have equal access to the school, regardless of disabilities, and the school will not discriminate against any student based on his or her disabilities. The school will not require modification of an IEP or 504 plan as a condition of enrollment, but may modify the plan consistent with applicable law thereafter.

Pursuant to Education Code § 47641(b), Natomas-Pacific Pathways Prep will be deemed to be a public school of the District for purposes of compliance with the IDEIA. A child with disabilities attending the school will receive special education instruction and related

services in accordance with the IDEIA as appropriate and in the same manner as a child with disabilities who attends another school in the District as set forth below.

A. The Charter School assumes primary responsibility, and will fully cooperate with the District, in identifying any student with special needs, including all students who seek enrollment at the Charter School or who are enrolled in the Charter School, and in convening annual IEP's. The District shall be responsible for all other IDEIA obligations and responsibilities not assigned to the Charter School in this Charter or in a Memorandum Of Understanding ("MOU") with the District for students enrolled in the Charter School.

B. The Charter School's staff trained in special education shall be responsible for identifying and referring Charter School students to the District who have or may have exceptional needs that qualify them to receive special education and/or related services from the District while enrolled at the Charter School. The Charter School will develop, maintain, and implement policies and procedures within the Charter School to ensure that students who have or may have exceptional needs are identified. The Charter School shall work cooperatively with the District to provide services to pupils with exceptional needs at the Charter School. The Charter School shall notify the District's Director of Special Education or designee as soon as practicable of any and all pupils who seek to enroll or who are dropped from enrollment, and who had an IEP in the current or previous year, or who have a record of having ever received special education services. To this end, the Charter School shall require students enrolling in the Charter School to indicate whether they have, or have ever had, an IEP.

C. The District shall be responsible for evaluating and assessing Charter School students identified by the Charter School who have or may have exceptional needs that qualify them to receive special education and/or related services. The Charter School will develop, maintain, and implement policies and procedures within the Charter School to ensure that students who have or may have exceptional needs are referred to the District for evaluation and assessment. If during the pre-placement evaluation and assessment, or any subsequent IEP, it is determined by the IEP team that the Charter School is not an appropriate placement for a student with exceptional needs, the student will be referred to the District, or the pupil's district of residence, for placement in an appropriate program that meets the needs of the student.

D. The District shall be responsible for developing, maintaining, and reviewing the form and format, as required by the District's Special Education Local Plan Area, of all written IEP's for students who have or may have exceptional needs that qualify them to receive special education and/or related services. The Charter School will develop, maintain, and implement policies and procedures within the Charter School to collaborate with the District in ensuring that IEP's are implemented for all students with exceptional needs who are enrolled in the Charter School.

E. The District shall retain all special education funds of the Charter School for services to special education pupils (i.e., "special education funding allocation"). In addition, the Charter School shall pay to the District a special education general fund encroachment fee as stated in the parties' MOU.

F. The District shall address, respond, and/or investigate complaints received under the District's Uniform Complaint procedure involving Charter School students receiving special education and related services from the District. The Charter School shall cooperate with the District in responding to such complaints as deemed required by the District.

G. The District may initiate and shall defend against due process hearings involving any Charter School student receiving special education and related services from the District in accordance with federal and State law. In the event any due process hearing is filed against the District, the District, as the LEA providing special education to Charter School students, shall be responsible for the District's costs associated with filing for or defending against the due process hearing, except as set forth in the MOU between the District and Charter School. In the event the Charter School elects to be represented separately by legal counsel for any due process hearing, the Charter School shall be solely responsible for the Charter School's costs.

H. The Charter School shall be solely responsible for complying with all requirements of Section 504 of the Rehabilitation Act, including but not limited to, holding Student Study Team meetings, developing and implementing Section 504 Accommodation Plans, and responding to complaints filed with the Office of Civil Rights.

Finally, for purposes of § 504/ADA, Natomas Unified School District will ensure that all District facilities used by Natomas-Pacific Pathways Prep are accessible to students with disabilities as required by law.

III. MEASURABLE STUDENT OUTCOMES AND OTHER USES OF DATA

Measurable Student Outcomes

When they graduate from Natomas-Pacific Pathways Prep, students will possess the following knowledge and demonstrate the following skills:

- They will demonstrate the ability to understand and express ideas, and they will demonstrate proficiency in reading, writing, speaking, listening, and presenting.
- They will understand and be able to apply social, historical, and geographical knowledge, so that they can play an active role in the world throughout their lives.
- They will demonstrate the ability to reason logically, understand and apply mathematical processes and concepts, and apply major strands of mathematical learning.
- They will understand the principles and moral values of American democracy and its legal system, as these are described in the U.S. Constitution and in other essential documents.
- They will understand that a healthy lifestyle, physical fitness, and nutrition contribute to personal well-being.

The teachers, counselor, and principal in NP³ will continue to examine and refine this list of student outcomes, so that it reflects both the school's mission and any changes in state or local content standards and standardized testing requirements.

Annual Goals and Pupil Outcomes for All Groups Served

Pursuant to Education Code section 47605(b)(5)(ii) and no later than, July 1 of each year, the Charter School shall provide to the District a description of the Charter School's annual goals for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the Charter School, and specific annual actions to achieve those goals. The Charter School may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals. (*see exhibit 1, LCAP*)

The Charter School acknowledges that the District's Board of Trustees shall consider increases in pupil academic achievement for all groups of pupils served by the Charter School as the most important factor in determining whether to grant a charter renewal pursuant to Education code section 47607(a)(3)(A). For purposes of meeting this requirement, "all groups of pupils served by the Charter School" means a numerically significant pupil subgroup served by the Charter School, as defined by Education Code section 52052(a)(3), pursuant to Education code section 47607(a)(3)(B).

State Content Standards and Standardized Testing

The academic curriculum in Natomas-Pacific Pathways Prep will consist of the basic concepts, content goals, and skills instruction reflected in the California State Content Standards in English/language arts, science, mathematics, and history/social science. Academic skills and concepts proposed by the California State Frameworks will be linked directly and specifically to concepts and themes taught in the classroom. The school is also dedicated to documenting each year student achievement of these state content standards and measurable academic growth as evidenced by scores on state-mandated tests.

Attendance

A major goal of Natomas-Pacific Pathways Prep will be to achieve an equivalent or better attendance rate than that achieved in comparable schools in the state.

Academic Performance and Academic Yearly Progress Indices

It is the goal of Natomas-Pacific Pathways Prep to achieve adequate Annual Yearly Progress (AYP) as may be required under the *Every Student Succeeds Act*.

Methods of Assessment

The academic progress of students enrolled in Natomas-Pacific Pathways Prep will be measured in a variety of ways, including the following.

- Traditional course assignments, tests and grades.
- Special in-class demonstrations, speeches, presentations, and project-based learning products
- The English Language Development Test
- Physical performance tests
- CAASPP

Use and Reporting of Data

The Natomas-Pacific Pathways Prep School Board will compile and provide an “annual performance report” to the Natomas Unified School District Board of Education. The two boards will jointly determine the content, evaluation criteria, timelines, and process for preparing and presenting this annual performance report, but, at a minimum, the report will include the following:

- Summary data that document student progress toward the academic goals and outcomes of NP³.
- An analysis of the extent to which student performance is meeting these goals. This analysis of student performance data will be displayed both school-wide and by disaggregated categories to the extent feasible without compromising student confidentiality.
- A summary of major curricular and instructional decisions and policies established by the Natomas-Pacific Pathways Prep School Board.
- Data regarding the number and qualifications of the teachers, counselor, and principal in NP³.
- A copy of the school's health and safety policies and a summary of any major changes in these policies during the year.
- A review of strategies and materials that NP³ has used during the year to achieve an economically, racially and ethnically balanced student population.
- An overview of the school's admissions practices during the year and data regarding the number of students enrolled, the number of students on waiting lists, and the number of students suspended or expelled.
- Analysis of the effectiveness of the school's internal and external dispute mechanisms and data on the number and resolution of any disputes and complaints that arose during the year.
- And any other relevant information regarding the school’s educational program and its administrative, legal, and governance operations that are directly relevant to the terms of the school’s charter.

In addition to using this annual performance report to assess the work of Natomas-Pacific Pathways Prep, the two boards will also jointly develop a site visitation protocol that will enable the district to gather additional information needed to confirm the school's performance and compliance with the terms of its charter. Both boards will use the report and visitation to evaluate and improve as necessary the educational program in NP³ and its day-to-day operations.

Finally, pursuant to the state's Education Code, Natomas-Pacific Pathways Prep will routinely submit all financial reports required under § 47604.33 and § 47605(m), and it will respond promptly to all reasonable inquiries from the district, including, but not limited to, inquiries regarding its financial records.

IV. GOVERNANCE STRUCTURE OF NATOMAS-PACIFIC PATHWAYS PREP

The School's Organizational and Administrative Structure

The Charter School is a locally funded independent charter school operated by P20 Consortium ("Corporation"), a California nonprofit public benefit corporation. Accordingly, the District shall not be liable for the debts and obligations of the Charter School pursuant to Education Code section 47604(c). The organizational and administrative structure of Natomas-Pacific Pathways Prep includes a school board, a school principal, a counselor, a staff of credentialed teachers, one or more other staff members, and approximately 500 students divided evenly across grades 9-12.

The School Board

The governing body for Natomas-Pacific Pathways Prep will be a seven-member school board. The board will include representatives of the P20 Consortium Board of Directors, t and educational and community leaders in Natomas and Sacramento. All board members will be expected to advance the school's commitment to diversity, high academic expectations, and significant, sustained educational relationships, and their major responsibility will be to ensure that the mission and goals of NP³ are reflected in its organizational and administrative structure, its student body, and its educational outcomes.

Notwithstanding any rule, regulation, provision, or Corporation Bylaw to the contrary, the Charter School's Board Members and the Charter School shall at all times and in all respects comply with the Ralph M. Brown Act, the Public Records Act, and all conflict of interests laws generally applicable to the District's Board of Trustees, including but not limited to, Government Code section 1090 and the Political Reform Act.

The board of Natomas-Pacific Pathways Prep will consist of five members, including a member of the Board of Directors of the P20 Consortium, two community representatives, and a student representative. Additional representatives may be appointed by the Board including 2 additional members. These 2 additional members will be selected by the Board upon the recommendation of appropriate constituencies. When selecting community representatives, the NP³ Board will look for expertise in school administration and operation, teaching, business, accounting, law and fund-raising.

The board will meet on a regular basis on a schedule that it will determine each year, but it will typically meet at least once every 2 months to set policies and monitor procedures that are essential to the school's smooth operation. The specific responsibilities of the board will include, but are not limited to, the following:

- Hire and evaluate the principal of the school.
- Approve the annual school calendar and the annual schedule of board meetings.

- Hire the school's instructional and other staff upon the recommendation of the principal.
- Adopt and monitor implementation of human resource policies related to compensation, career development, and staff personnel discipline, including suspension or dismissal.
- Approve and periodically review the school's curriculum.
- Approve and periodically review the school's student personnel policies and procedures, including those related to attendance, discipline, suspension, and expulsion.
- Appoint as necessary administrative panels that can act as hearing panels for student expulsions.
- Establish steering committees of parents, educators, and experts who will enhance and support the school's curricular themes.
- Review and approve requests for out-of-state or overnight student field trips.
- Involve parents and community representatives in activities related to the school's curricular and co-curricular programs.
- Execute all responsibilities required by the California Corporation Code.
- Develop an operational business plan and approve and monitor the school's annual budget.
- Act as fiscal agent for the school for purposes of receiving funds to operate the school, including funds related to charter school laws and grants and donations consistent with the mission of the school.
- Contract with an external auditor to produce annual financial audits consistent with generally accepted accounting practices and, upon their receipt, approve these annual fiscal audits.
- Participate in the school's procedures for dispute resolution, both within the school and between the school and the district.
- Approve any amendments to the school's charter.

In addition to these specific responsibilities, the board may initiate any program or activity and otherwise act in any manner that is not in conflict with, inconsistent with, or preempted by any law and that is not in conflict with the purposes for which NP³ was established.

In carrying out its responsibilities, the board will establish specific procedures for going about its business, including:

- Adopting governance policies that are aligned with principles of the *Brown Act* and the *Political Reform Act*.
- Adopting policies regarding self-dealing and conflict of interest including a policy that Board members will not vote or participate in discussions related to matters in which they have direct personal financial interests.

The board may execute any powers delegated by law to it and discharge any duty imposed by law upon it, and it may delegate to any employee of the school any of these duties. While the board retains ultimate responsibility for performance of powers or duties so delegated, this delegation of responsibilities must be in writing; specify the entity designated; describe in specific terms the authority of the board being delegated, any conditions on the delegated authority or its exercise, and the beginning and ending dates of the delegation; and receive an affirmative vote of a majority of board members.

The Principal of the School

The day-to-day functioning of Natomas-Pacific Pathways Prep will be under the direct supervision and control of the school's principal, who will have ultimate responsibility for all aspects of the school's functioning, including its curricular and co-curricular programs, its staff, its students, its staff and student personnel policies and procedures, its financial well-being, and its public relations with parents and the community. The principal will be directly supported by a counselor, who will have responsibility for counseling all students, ensuring that the special needs of students are adequately addressed, and providing college advisement. The teaching staff of the school, hired by the school board upon the recommendation of the principal and subsequently supervised by the principal, will be charged with creative implementation on a day-to-day basis of the school's curricular and co-curricular programs.

The specific responsibilities of the principal will include, but are not limited to, the following:

- Attend NP³ school board meetings.
- Meet regularly with the chief financial officer of the district on a schedule agreed upon with the district.
- Develop agendas for board meetings in conjunction with the board secretary and in compliance with the *Brown Act*.
- Propose policies for adoption by the board, and provide comments and recommendations regarding policies presented by others to the board.

- Communicate with the school's legal counsel and stay abreast of relevant school laws and regulations.
- Recommend all staff hiring's to the NP³ school board, and subsequently supervise, either directly or through subordinates, all employees of the school.
- Provide annual performance evaluations of all school employees.
- Provide assistance and coordination for the school's teachers as they develop the school's curriculum and programs.
- Develop the course schedule for each term with assistance of the school's teachers and counselor.
- Assume major responsibility and implementing strategies to recruit culturally diverse students for enrollment in NP³, including conducting public meetings, maintaining liaison with feeder schools, meeting with parents and potential students, and coordinating orientation meetings for recently-enrolled students.
- Monitor student attendance and supervise student discipline.
- Establish and execute enrollment procedures, and provide all necessary financial reports required for proper ADA reporting.
- Plan and coordinate administration of state standardized tests.
- Oversee the school's budget, including its development and administration in accordance with generally accepted accounting principles, and notify the board of any budget line item revisions made during the year.
- Write grants and other proposals to obtain external funding for school programs and activities.
- Approve all purchase orders, pay warrants, and requisitions, and, upon approval, forward these for processing.
- Present quarterly financial reports to the board.
- Oversee parent/student/teacher relations, including attendance at IEP meetings.
- Oversee school site safety.
- Participate when necessary in the school's procedures for dispute resolution.

- Develop the school’s annual performance report and present this report to the Natomas-Pacific Pathways Prep School Board, the Natomas Unified School District Board of Education, and others as appropriate.

Some of the above responsibilities may be delegated or contracted upon approval of the NP³ school board.

Family Involvement in the School

A critical aspect of the school will be the development of “a family center” consistent with the model engendered in the ENLACE Latino Pipeline project in Albuquerque, New Mexico. The vision of the family center is to create a place where parents, families, and community partners can be directly involved in creating a network that provides on-going support, empowerment, engagement, knowledge, and leadership opportunities for students in an educational environment that is open, non-threatening, accessible, accountable and family-based. It is anticipated that creating “a family center” in NP³ will ensure, as has been the case elsewhere, a high level of parental involvement with all students in the school.

V. HUMAN RESOURCES

Overall Qualifications of School Employees

All staff members in Natomas-Pacific Pathways Prep are expected to be individuals who seek to provide a quality education for a culturally diverse population of high school students. Staff members are expected to share the desire to participate in a thematically-based law and public service curriculum that is focused on high expectations, rigorous academic work, and a sustained commitment to significant relationships with students and families.

The School's Principal

As indicated above, the principal of Natomas-Pacific Pathways Prep is responsible for implementing the school's administrative and legal responsibilities, as well as serving as the school's instructional leader. This individual is expected to be an experienced teacher and school administrator, an exemplary communicator both in person and in writing, and an individual who possesses the organizational and interpersonal skills needed to administer a small, academically rigorous, college-oriented high school for culturally diverse students.

The School's Teachers and Counselors

When employing teachers and counselor, Natomas-Pacific Pathways Prep will adhere to Education Code § 47605(l), all requirements of the California Commission on Teacher Credentialing, and all applicable provisions of the *Every Student Succeeds Act*. The Charter School's teachers shall hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in the District would be required to hold. These documents shall be maintained on file at the charter school and shall be subject to periodic inspection by the District. The Charter School's teachers at all levels shall meet or exceed all "highly qualified requirements". Accordingly, all Charter School teachers will meet the following minimum requirements:

- Bachelor's Degree
- Valid California Teaching Credential or equivalent CCTC-issued document
- If appropriate, or determined by the Charter School or the State of California as required, the individual will hold all appropriate supplemental credentials
- Demonstrate sufficient subject matter competency in accordance with Title 5, California Code Regulations Sections 6111 and 6112 and other applicable law.
- Non-core teachers shall hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in the District would be required to hold.

In addition, the school may also employ non-certified instructional staff for work in non-core classes and activities when those prospective staff members have an appropriate mix of subject matter expertise, professional experience, and demonstrated capacity to work successfully in those instructional settings. Non-certified instructional staff shall work under the direct supervision of credentialed core or non-core subject teachers.

Similarly, the counselor in NP³ must hold an appropriate California school counseling credential and must have specific interests and skills for working successfully with culturally diverse students in a small, theme-based high school.

The School's Non-Instructional Staff

All non-instructional staff in the school (e.g., administrative assistants, attendance clerks, custodians, campus monitors, etc.) are expected to have experience and expertise appropriate to their positions.

Compensation and Benefits

All applicants for positions at Natomas-Pacific Pathways Prep will be informed about retirement system options, and, as appropriate to their positions, all employees will participate in STRS, PERS, and/or the federal Social Security system.

Employee Representation

For purposes of the *Educational Employment Relations Act*, Natomas-Pacific Pathways Prep will be deemed the exclusive public employer of all employees in the school.

Rights of School District Employees

All applicants for positions with the Charter School will be considered through an open process, and if hired, will enter into an employment agreement with the Charter School. The Charter School is independent from the District and any District employees who choose to work at the Charter School shall resign their status as employees of the District and all of their rights and benefits thereof. All persons employed by the Charter School shall not be deemed to be employees of the District for any purpose whatsoever. The Charter School's employees shall have no employment rights of any kind with the District. The Charter School shall not have any authority to confer any rights to return on District employees.

Health and Safety

The Natomas-Pacific Pathways Prep School Board has adopted policies and procedures for complying with each of the following health and safety requirements:

Background Checks

Natomas-Pacific Pathways Prep will comply with all provisions of Education Code § 44237 and § 45125.1 related to fingerprinting and background clearance of employees, contractors, and volunteers prior to employment or prior to having any more than limited contact with students in the school. The principal of the school will monitor compliance with this policy and report to the school board on a quarterly basis regarding implementation of this policy.

Child Abuse

All classified and credentialed staff members in Natomas-Pacific Pathways Prep will be mandated child abuse reporters and are expected to follow all relevant policies, procedures, and applicable reporting laws used in Natomas Unified School District.

TB Testing

Natomas-Pacific Pathways Prep will adhere to Education Code § 49406 with regard to required tuberculosis testing of all employees prior to commencing employment.

Immunizations

Natomas-Pacific Pathways Prep will adhere to Health and Safety Code §§ 120325-120375 and Title 17 of the California Code of Regulations §§ 6000-6075 with regard to legally required immunizations for entering students.

Medications

Natomas-Pacific Pathways Prep will adhere to Education Code § 49423 with regard to administration of medications in school.

Vision/Hearing/Scoliosis

Natomas-Pacific Pathways Prep will adhere to Education Code § 49450, et seq., with regard to each of the grade levels served by the school.

Emergency Preparedness

Natomas-Pacific Pathways Prep will adhere to those sections of the “Emergency Preparedness Handbook” drafted specifically for school sites, including, but not be limited to, emergency responses to fire, flood, earthquake, terrorist threats, and hostage situations.

Blood-Borne Pathogens

Natomas-Pacific Pathways Prep will adhere to state and federal standards relevant to blood-borne pathogens and other potentially infectious materials in the workplace. The NP³ School Board will establish a written “Exposure Control Plan” for protecting employees

from possible infections due to contact with blood-borne viruses, including human immunodeficiency virus (HIV) and hepatitis B virus (HBV). If exposed to blood or other bodily fluids through injury or accident, students and staff in the school will follow the latest medical protocols and procedures for disinfection.

Drug-Free/Smoke-Free/Alcohol-Free Environment

Natomas-Pacific Pathways Prep will maintain a drug-, smoke-, and alcohol-free environment.

Comprehensive Harassment Policies and Procedures

The Charter School is committed to providing a school that is free from sexual harassment, as well as any harassment based upon such factors as race, religion, creed, color, national origin, ancestry, age, medical condition, marital status, sexual orientation, or disability. The Charter School will adopt and apply all Charter School policies and procedures involving all forms of harassment and shall notify its students and staff of these policies.

Dispute Resolution

Disputes within the School

All disputes within Natomas-Pacific Pathways Prep will be resolved by the school using its own internal policies for dispute resolution. The district will become involved in resolving these internal disputes only if the school requests district involvement or if the internal dispute relates to the District's oversight responsibilities or one of the reasons under Education Code § 47607 for which a charter can be revoked.

Disputes between the School and the District

Natomas-Pacific Pathways Prep and Natomas Unified School District will always try to resolve disputes between them amicably and reasonably without resorting to formal procedures. Unless legally required to do otherwise, both parties will refrain from public commentary regarding any dispute until the matter has progressed through the dispute resolution process.

If a dispute between Natomas-Pacific Pathways Prep and Natomas Unified School District arises, staff and/or board members of the school and district will first frame the issue in written form and refer it to the superintendent of the district and the principal of the school. Not later than five business days after receipt of the dispute statement, the principal and superintendent will informally meet and confer in an attempt to resolve the dispute. If this informal meeting fails to resolve the dispute, both parties will identify two governing board members from their respective boards who will jointly meet with the superintendent and principal and attempt to resolve the dispute within 15 business days after receipt of the dispute statement. If this meeting fails to resolve the dispute, either party shall, within five (5) business days following the meeting, submit the matter first to the Sacramento County

Superintendent of Schools. The parties agree to be bound by the County Superintendent's decision and shall indicate as such when submitting the matter to the County Superintendent. If the County Superintendent declines to hear the matter, the parties may submit their dispute to a mutually agreeable mediator, for final resolution in accordance with any procedure determined and prescribed by the mediator and agreed to by the parties. Review by the County Superintendent or mediator to be held no later than forty-five (45) business days of receipt of the initial dispute statement. . The County Superintendent or mediator's decision will be final, and the costs of mediation will be split evenly between the district and the school. All of the above timelines may be revised if mutually agreed upon by the District and the Charter School.

VI. STUDENT ADMISSIONS, ATTENDANCE, AND SUSPENSION/EXPULSION POLICIES & PROCEDURES

Student Admissions Policies and Procedures

Limited only by its capacity, Natomas-Pacific Pathways Prep will admit all students who wish to attend. No test or assessment will be administered to potential students prior to acceptance and enrollment, and students will be considered for admission without regard to race, ethnicity, national origin, religion, gender, sexual orientation, perceived sexual orientation, fluency in English, disability, or parental income and educational level.

The goal of NP³ is to maintain a student population as culturally diverse as the student population in Natomas Unified School District. At a minimum, the process will require applicants to:

- Complete a student enrollment form
- Provide proof of immunization
- Complete a Home Language Survey
- Complete an Emergency Medical Information Form
- And provide proof that they meet minimum age requirements.

For enrollment each fall, students already enrolled at NP³ will be guaranteed enrollment during the next school year. For enrollment at the ninth grade level or to fill anticipated openings in grades 10, 11, or 12, applicants may apply during a publicly advertised open enrollment period each spring. Following the open enrollment period, applications will be counted to determine whether any grade level has received more applications than there will be available places. If there are more applications than available places, the school will proceed category by category and hold a public random drawing using the following criteria to identify those students who will be admitted at each impacted grade level:

- Siblings of currently enrolled students at an NP³ school who are residents of the Natomas Unified School District.
- Students who are residents of the Natomas Unified School District
- Siblings of currently enrolled students at an NP³ school who are not residents of the Natomas Unified School District.
- Students who are not residents of the Natomas Unified School District.

At the conclusion of the selection process, all students who were not selected for admission will be given the option to put their names on a wait list according to their draw in the lottery and their match with the admissions criteria. This wait list will be used to select students to fill any spaces that open prior to or during the next school year, but the wait list will not carry over to the following school year.

Non-Discrimination

As indicated above, Natomas-Pacific Pathways Prep will consider pupils for admission without regard to race, ethnicity, national origin, religion, gender, sexual orientation, perceived sexual orientation, fluency in English, disability, or parental income and educational level. At the same time, by means of a carefully crafted and implemented recruitment plan, the school will strive to achieve a racial, ethnic and economic balance of students that reflects the general population of Natomas Unified School District.

The recruitment plan will include the following:

- Special efforts to recruit students in impacted areas
- Preparation and distribution of recruiting materials in English and in other commonly spoken languages.
- Well- advertised dates, times, and locations of open houses, information meetings, and other outreach activities for potential students and their families
- Assistance to families when completing and returning application materials.

The annual performance report to the NP³ School Board will describe the school's efforts during the prior year to recruit a culturally diverse student body and the results of these efforts, including the racial mix of enrolled students, the percentage of students from within and outside Natomas Unified School District, and comparative data on the racial and ethnic characteristics, proportion of students participating in the federal Free and Reduced Lunch Program, and proportion of English learners among those students who applied for admission to NP³, those who were admitted, and those who were not.

The "Subgroups by Ethnicity" data below identifies the number of students in each grade level served by the Charter School for subgroups by their ethnicity during the 2015-2016 School Year. This data is consistent with the Charter School's LCAP and will assist the Charter School in measuring its progress in achieving the Charter School's stated goal of serving a culturally diverse student body.

	Low Income Pupils	English Learners	Foster	Redesignated Fluent English Proficient
9 TH GRADE	71	14	0	2
10 TH GRADE	65	10	1	3
11 TH GRADE	48	7	0	1
12 TH GRADE	62	5	0	1

(Source: NUSD and Infinite Campus. June 1, 2016)

2015-2016 Subgroups by Ethnicity

	Hispanic / Latino	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Two or more races	Undefined	Total
9 TH GRADE	42	0	68	6	3	28	5	4	156
10 TH GRADE	37	1	66	11	2	23	4	0	144
11 TH GRADE	28	0	44	14	2	39	5	0	132
12 TH GRADE	35	0	58	23	1	30	7	0	154

(Source: NUSD and Infinite Campus. June 1, 2016)

Public School Attendance Alternatives

Students who reside in Natomas Unified School District and who choose not to attend Natomas-Pacific Pathways Prep may attend either a district or non-district school in accordance with the district's intra- and inter-district policies. Parents and guardians of students enrolled in NP³ will be informed that students have no special right of admission to a particular school in any local education agency as a consequence of their enrollment in NP³, except to the extent that such a right is extended by the local education agency.

Suspension and Expulsion Policies and Procedures

Consistent with the pupil suspension and expulsion policies and procedures adopted by its board and amended from time to time during the operation of its charter, Natomas-Pacific Pathways Prep will follow Education Code section 48900 et seq., and provide due process to any student, including any specific due process rights relating to any student with disabilities, who is subject to suspension or expulsion, as set forth below.

A. Grounds for Suspension and Expulsion of Students

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

B. Enumerated Offenses

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

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

- o) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
- r) Made terrorist threats against school officials and/or school property. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
- s) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment.
- v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in Education Code section 49800(r), and subdivisions (f) and (g) of Section 32261 of the Education Code, directed specifically toward a pupil or school personnel.

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

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

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

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

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

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

b) Willfully used force of violence upon the person of another, except self-defense.

c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.

d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.

e) Committed or attempted to commit robbery or extortion.

f) Caused or attempted to cause damage to school property or private property.

g) Stole or attempted to steal school property or private property.

h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.

i) Committed an obscene act or engaged in habitual profanity or vulgarity.

- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
- l) Knowingly received stolen school property or private property.
- m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- o) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
- r) Made terrorist threats against school officials and/or school property. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
- s) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

t) Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.

u) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261 of the Education Code, directed specifically toward a pupil or school personnel.

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

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

4. Non -Discretionary Expellable Offenses: Students must be expelled for any of the following acts when it is determined pursuant to the procedures below that the pupil:

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

If it is determined by the Board of Directors that a student has brought a fire arm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994.

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

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

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Principal or the Principal's designee with the student and his or her parent and, whenever practical, the teacher, supervisor or Charter School employee who referred the student to the Principal or designee.

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 students or Charter School personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference.

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense. 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. No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

2. Notice to Parents/Guardians

At the time of the suspension, an administrator or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If Charter School officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of Expulsion by the Principal or Principal's designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination will be made by the Principal or designee upon either of the following: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

D. Authority to Expel

A student may be expelled either by the Charter School Board following a hearing before it or by the Charter School Board upon the recommendation of an Administrative Panel to be assigned by the Board as needed. The Administrative Panel should consist of at least three members who are certificated and neither a teacher of the pupil or a Board member of the Charter School's governing board. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

E. Expulsion Procedures

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

In the event an administrative panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session (complying with all pupil confidentiality rules under FERPA) unless the Pupil makes a written request for a public hearing three (3) days prior to the hearing.

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

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

F. Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses

The Charter School may, upon a finding of good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations that shall be examined only by the Charter School or the hearing

officer. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the person or panel conducting the hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The person conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The person conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the 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 Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures

may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.

10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

G. Record of Hearing

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

H. Presentation of Evidence

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense. Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Board, Panel or designee determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

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

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

I. Written Notice to Expel

The Principal or designee following a decision of the Board to expel shall send written notice of the decision to expel, including the Board's adopted findings of fact, to the student or parent/guardian. This notice shall also include the following: Notice of the specific offense

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

The Principal or designee shall send a copy of the written notice of the decision to expel to the authorizer. This notice shall include the following: a) The student's name b) The specific expellable offense committed by the student

J. Disciplinary Records

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

K. No Right to Appeal

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

L. Expelled Pupils/Alternative Education

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

M. Rehabilitation Plans

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

N. Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the Board following a meeting with the Principal or designee 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 or designee shall make a recommendation to the Board following the meeting regarding his or her determination. The pupil's readmission is also contingent upon the Charter School's capacity at the time the student seeks readmission.

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

1. Notification of SELPA

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

2. Services During Suspension

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

3. Procedural Safeguards/Manifestation Determination

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

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

VII. FINANCIAL PLANNING, REPORTING, AND ACCOUNTABILITY

Financial Reporting

The Charter School shall provide reports to the District as follows, and may provide additional fiscal reports as requested by the District:

1. By July 1, a preliminary budget for the current fiscal year.
2. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of the Charter School's annual, independent financial audit report for the preceding fiscal year shall be delivered to the District, State Controller, State Department of Education and County Superintendent of Schools.
3. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
4. By September 15, a final unaudited report for the full prior year. The report submitted to the District shall include an annual statement of all the Charter School's receipts and expenditures for the preceding fiscal year.
5. The Charter School will present a fiscal report to the District and/or Board of Trustees upon written request by the District. The District will provide the Charter School reasonable notice of such a request.

Funding and Oversight Fee

The Charter School elects to receive the state aid portion of charter school general-purpose entitlement and categorical block grant funds as a locally funded Charter School pursuant to Education Code section 47651(a)(2) and all such funds shall be deposited into a District account established solely for the "Natomas-Pacific Pathways Prep" and separate from the District's account for the Corporation's "Natomas-Pacific Pathways Prep Middle School." The District shall transfer to the school funding in lieu of property taxes in accordance with Education Code section 47635. The School recognizes that the District shall have no responsibilities for funding the Charter School beyond the actual funding received for the School.

The Charter School agrees that all funding received for the Charter School, from any and all sources, including but not limited to all funding sources set forth in this Charter and the MOU, or other agreement with the District, shall be used exclusively to operate the Natomas-Pacific Pathways Prep, and shall not be used, either directly or indirectly, or by loan or gift, to fund, assist, pay for the debts of, or towards the operation of, any other school or establishment managed, controlled, or operated by the Corporation or Charter School, including its "Natomas-Pacific Pathways Prep Middle School" or satellites, or operated by its members, officers, agents, servants, and employers, or for any other purpose whatsoever.

In consideration for the actual costs of supervisory oversight by the District, the Charter School shall pay an amount not to exceed one percent (1%) of the revenue of the Charter School (hereinafter, the "Oversight Fee") pursuant to Education Code section 47613.

"Supervisory oversight" for purposes of this section shall be limited to those duties listed in Education Code section 47604.32(a) through (e), only. "Revenue" for purposes of this calculation shall include the general-purpose entitlement calculated pursuant to Education Code section 47633, and the categorical block grant calculated pursuant to Education Code section 47634, as computed by the local control funding formula pursuant to Education Code sections 42238.02 and 42238.03. "Revenue" for purposes of this calculation shall not include Charter School fund-raising activities, private donations, other public grants, or any other source of income developed by the Charter School.

Local Control Accountability Plan

On or before July 1 of each year thereafter, the Charter School shall provide the District its Local Control Accountability Plan ("LCAP") in accordance with Education Code sections 47606.5 and 52064. The LCAP shall include the goals and annual actions to achieve those goals as identified in the Charter pursuant to Education Code section 47605(b)(5)(A) or Section 47605.6(b)(5)(A). The LCAP and annual update shall be developed using the template adopted pursuant to Section 52064 and shall include all of the following:

(1) A review of the progress toward the goals included in the Charter, an assessment of the effectiveness of the specific actions described in the Charter toward achieving the goals, and a description of changes to the specific actions the Charter School will make as a result of the review and assessment.

(2) A listing and description of the expenditures for the fiscal year implementing the specific actions included in the Charter as a result of the reviews and assessment required by paragraph (1).

The expenditures identified in the LCAP shall be classified using the California School Accounting Manual pursuant to Section 41010.

For purposes of the review required by Section 47606.5(a), the Charter School may consider qualitative information, including, but not limited to, findings that result from school quality reviews conducted pursuant to Section 52052 or any other reviews.

To the extent practicable, data reported pursuant to this requirement shall be reported in a manner consistent with how information is reported on a school accountability report card.

The Charter School shall consult with teachers, principals, administrators, other school personnel, parents, and pupils in developing the annual update.

Insurance

The District and Charter School participate in the Schools Insurance Authority (“SIA”)-sponsored property, liability and worker’ compensation programs. For the term of this Charter and as set forth in the MOU, both parties shall remain covered by those programs, the costs of which shall be separately borne by each party, although any increase in the District’s experience or rating factor due to claims arising from the Charter School’s operations that leads to an increased contribution (premium) to be paid by District, for the purchased coverage due to claims arising from the Charter School’s operations shall be solely payable by the Charter School. No other liability, personal property, or real property insurance or indemnity protection is required by this Charter. Should the Charter School in the future no longer be covered by the SIA programs, it must obtain coverage at least as extensive as that provided by SIA, including, but not limited to, the applicable coverage limits, coverage grants, and absence of deductibles.

Administrative Services

The principal of Natomas-Pacific Pathways Prep will assume lead responsibility for administering the school under the policies adopted by the NP³ School Board. It is anticipated that a majority of these services for students in NP³ will be contracted with Natomas Unified School District. The specific terms and cost of these services will be specified in the MOU between the Charter School and District.

Payment Schedule

The Charter School shall pay the administrative services fee, special education general fund encroachment fee, supervisorial oversight fee, and any other fees in quarterly installments for each school year covered as set forth in the Charter and/or MOU. The District shall invoice the Charter School for fees due as of September 30, December 31, March 31, and June 30, with invoices to be prepared and submitted by the District to the Charter School within thirty (30) calendar days during the year and by September 15 (when the books are closed) at the end of the year. The Charter School shall pay all invoices within fifteen (15) business days of their issuance by the District. In the event payment is not received within five (5) business days following the payment due date, the Charter School authorizes the District to deduct any such fees from the funds deposited in its account with the District. Alternatively, the District may elect to offset and deduct any such fees from the District in-lieu property tax revenues next payable to the Charter School, in which case the District shall provide the Charter School with a detailed statement showing the amount of any such offset.

Facilities

The Charter School leases District facilities (hereinafter the “Facility” or “Site”) located at 3700 Del Paso Road, Sacramento, California, 95834 pursuant to terms and conditions set forth in a Facility Use Agreement. The Charter School and District will work collaboratively in meeting the facilities needs of District students attending the Charter School. It is the intention of the Parties to negotiate outside of Education Code section 47614 and its implementing regulations to reach agreement on facilities arrangements throughout the term of the Charter; and both Parties will negotiate in good faith to do so. Accordingly, the Charter School and District agree that arrangements for facilities shall at all times be in lieu of and as an alternative to Education Code section 47614 and its implementing regulations. The Charter School shall comply with all State and federal laws regarding the use of the Site as school facilities

Transportation

The Charter School shall be solely responsible for the direct cost of all transportation services provided by the Charter School for its pupils enrolled in the Charter School. The Charter School may contract with the District for transportation services, including field trips, and shall ensure that Charter School fieldtrip consent and medical insurance forms are consistent with the requirements set forth in District forms.

Audits

An annual independent financial audit of the books and records of the Charter School will be conducted as required by Education Code Sections 47605(b)(5)(I) and 47605(m). The Natomas-Pacific Pathways Prep School Board will make arrangements for an annual independent audit of its financial affairs by a qualified Certified Public Accountant who has education auditing experience and is selected by the Board. The audit will verify the accuracy of the school's financial statements, its attendance and enrollment accounting practices, and its internal financial controls. The audit will be conducted in accordance with generally accepted accounting principles applicable to the school. It will be completed by November 1 following the close of each fiscal year, and a copy of the auditor's findings will be forwarded by December 15 to Natomas Unified School District, the County Superintendent of Schools, the State Controller, and the California Department of Education. The principal of NP³ will review any audit exceptions or deficiencies and report these to the NP³ School Board with recommendations on how to resolve them. The board will submit a report to the district describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the district. Any disputes regarding the resolution of audit exceptions and deficiencies will be referred to the dispute resolution process described earlier in this Charter.

Closure Protocol

In the event that Natomas-Pacific Pathways Prep closes, the following procedures will apply regardless of the reason(s) for closure:

- Closure of Natomas-Pacific Pathways Prep will be documented by official action of the NP³ School Board, and the action will identify the reason(s) for the closure.
- The NP³ School Board will promptly notify the Natomas Unified School District Board of Education regarding the closure, its effective date, and the reason(s) for the closure.
- The NP³ School Board will notify all parents and students in the school regarding the closure and will help parents and students locate suitable alternative programs. This notice will be provided promptly following the NP³ School Board's decision to close the school.
- As applicable, the school will provide parents, students, and the Natomas Unified School District with copies of all appropriate student records, and it will help students transfer to their next school. All transfer of student records will be done in compliance with the *Family Educational Rights and Privacy Act* (FERPA) 20 U.S.C. § 1232(g), and the school will ask the district to store original records of NP³ students.
- As soon as reasonably practical, the school will prepare a final set of financial records. It will also arrange for an independent audit to be completed as soon as reasonably practical, and no later than six months after closure. The school will pay for the audit, it will be prepared by a qualified Certified Public Accountant selected by the NP³ School Board, and it will be provided to the district promptly upon its completion. The Charter School will complete and file any annual reports required pursuant to Education Code section 47604.33.
- Upon closure of Natomas-Pacific Pathways Prep, all assets of the school, including, but not limited to, leaseholds, personal property, intellectual property, ADA apportionments, and other revenues generated by students attending the school, after payment of all debts and liabilities and refunds to applicable agencies, shall revert to the District. Any assets acquired from the District and District property will be promptly returned to the District upon the Charter School's closure.
- Upon closure, Natomas-Pacific Pathways Prep will be solely responsible for all liabilities arising from its operation.

VIII. IMPACT ON THE CHARTER AUTHORIZER

Potential Civil Liability Effects

The statement that follows is intended to fulfill the terms of Education Code § 47605(g), and it provides information regarding the proposed operation and potential effects of Natomas-Pacific Pathways Prep on Natomas Unified School District.

Natomas-Pacific Pathways Prep will be operated by and under a delegation of authority of a California non-profit public benefit corporation. This corporation, the P20 Consortium, is organized and operated exclusively for charitable purposes within the meaning of § 501(c)(3) of the Internal Revenue Code and the California Revenue and Taxation Code § 23701d.

Pursuant to Education Code § 47604(c), an entity that grants a charter to a school operated by or as a non-profit public benefit corporation will not be liable for the debts or obligations of the school or for claims arising from the performance of acts, errors, or omissions by the school, if the authority has complied with all oversight responsibilities required by law. The charter school will work diligently to assist the approving district in meeting any and all oversight obligations under the law, including monthly meetings, reporting, or other requested protocol to ensure that the district is not liable for the operation of the charter school. Further, the charter school and the district will enter into a MOU that provides for indemnification of the district, and the Board of the charter school will institute appropriate risk management practices, including screening of employees, establishing codes of conduct for students, staff, and participating families, and establishing policies and procedures governing financial transactions and dispute resolution.

**IX. SUPPORT FOR ESTABLISHING NATOMAS-PACIFIC PATHWAYS
PREP AS A CHARTER SCHOOL IN NATOMAS UNIFIED SCHOOL DISTRICT**

In general.

The P20 Consortium and its board members are in full support of this renewal petition as are the board members for the Natomas Pacific Pathways Prep. The five-year of this renewal shall be effective July 1, 2016 through June 30, 2021.