

Annual Charter School Report

MODESTO CITY SCHOOLS

TO: Dr. Sara Noguchi, Superintendent

Regular Meeting

SUBJECT: Annual Report Connecting Waters Charter School,
Central Valley**BACKGROUND**

Connecting Waters Charter School, Central Valley (CWCV) is an independent non classroom based Personalized Learning school that serves students TK-12. We are in our second year of operation and were established to meet the continued needs of students who thrive in a non-traditional setting after the Anderson Decision. The school is located within the boundaries of Modesto City Schools and operated by Connecting Waters Charter Schools, Inc. We currently have approximately 450 students enrolled this year. The school can serve students who reside in Stanislaus, San Joaquin, Alameda, Calaveras, Mariposa, Merced, Santa Clara, and Tuolumne counties. However, most of our students reside in Stanislaus County. The majority of the students have come from our original school, Connecting Waters. We are pleased with the relationship and collaboration we feel with the staff at Modesto City Schools. We believe we all want what is best for students and are committed to doing what is best for kids. The school was authorized by Modesto City Schools on February 20, 2018 and opened for the first students in August of 2018. Our students have access to resources including classes at their resource center located at 2000 W. Briggsmore Avenue. The Resource Center is used by our certificated teachers (Education Specialist or ESs) to meet with students, for tutoring, Special Education services, parent meetings and supplemental classes. We are in the process of renovating and building a resource center at 2300 E. Briggsmore and should be able to move in by June 2020. Our goal is to be able to provide better services to our students.

The teacher of record or ES is responsible to work with the parents and students to develop a personalized education program for the student. The ES is assigned to each student and works with the parent to create assignments, select learning materials, evaluate curriculum, arranges group educational activities, classes, internships and cooperative learning projects.

CWCV provides higher student learning by assisting students and parents with educational guidance, individualizing curriculum to meet students' needs, providing materials, resources and supportive instruction. Flexibility in teaching and learning styles with real-life context based learning will challenge all students. Individualized learning materials are purchased using a set dollar amount per student per semester.

In addition to the ES, the school has a full staff of dedicated team members who believe is the Mission and Vision of the school which provides additional support for student success.
School's Mission:

Connecting Waters Charter Schools are a collaborative educational community promoting academic excellence in preparing students for college and career while providing individualized public education through challenging, unique, and varied learning.

Our vision is to enhance life-long educational outcomes by partnering with families to provide stimulating learning opportunities across multiple regions.

Connecting Waters Charter School, Central Valley (CWCV) is fully accredited for grades TK-12 by the Schools Commission of the Western Association of Schools and Colleges. (WASC)

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Our network of schools is overseen by a Board of Directors which is comprised of members from the community and parents of students in the schools. Each board member is appointed to a two year term.

Our current Board members are:

Megan Shipley – Board Chair
Nina Vieira – Board Vice-Chair
Jennifer Louie-Monzon – Board Secretary
Summer Hash – Assistant Secretary
Robert Avila
Laneshia Peters
Jeana Sears

Our Executive Cabinet consists of:

Sherri Nelson – Executive Director
Tammy Hushaw – Education Services Director
Shoni Johnson - Curriculum & Assessment Director
Malinda Miller - Business Service Coordinator

Our Cabinet consists of:

Michelle Day – Special Education Director
Mary Halter – Guidance Director
Bev Harris – Learning Center Coordinator
Sonia Moncada – Student Records Coordinator
Becky Rasmussen – Academic Director
Maria Sandoval – School Office Coordinator

We also have a leadership team that works to maintain and implement the school policies and strategic plan:

Lori Baca – ES Advisor
Julie Boersma – ES Advisor
Melissa Cripe – Guidance Counselor
Lisa Dallimore – ES Advisor
Debbie Kutz – Math Specialist
Jerri Levers – EL Coordinator
Teresa Matranga – English Specialist
Sofia Oldmark – Science Department Chair
Judy Orr – ES Advisor
Amy Parsons – ES Advisor
Shanda Rickman – Social Studies Department Chair
Janette Springer – 504 / PLT Coordinator
Christine Trejo – Guidance Counselor
Jamie Ulloa – Special Projects Coordinator

REPORT

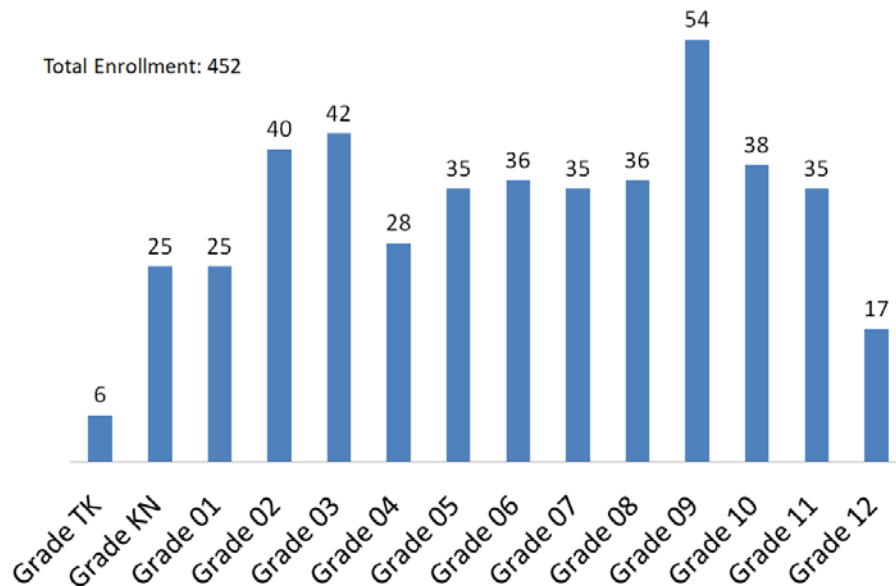
Student Enrollment

The following disaggregated data is based on the current total enrollment of 452 students for Connecting Waters Charter School, Central Valley as of January 2020. We have 182 students that live in Modesto, however only 40 were previously enrolled in a school within the MCSD. Twenty-two who originally transferred from CW to CV during our first year (2018-19). The other 18 were new students who enrolled with CWCV for our current school year of 2019-20.

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Enrollment for the year has closed and there are no students on the waiting list.

CWCV 2020 Student Grade Breakdown



Female student population is 54% male student population is 46%

Major racial and ethnic categories are listed below:

11- America Indian or Alaskan Native
 1- Chippewa
 1- Choctaw
 2- Vietnamese
 5- Asian Indian
 1- Laotian
 2- Asian
 6- Other Asian
 2- Samoan
 3- Other Pacific Islander
 6- Filipino
 34- Black or African American
 1- Cuban
 68- Hispanic or Latino
 40- Mexican American
 8- Middle Eastern
 1- Salvadoran
 247- White
 6- Declined to state
 7- Unknown / No record

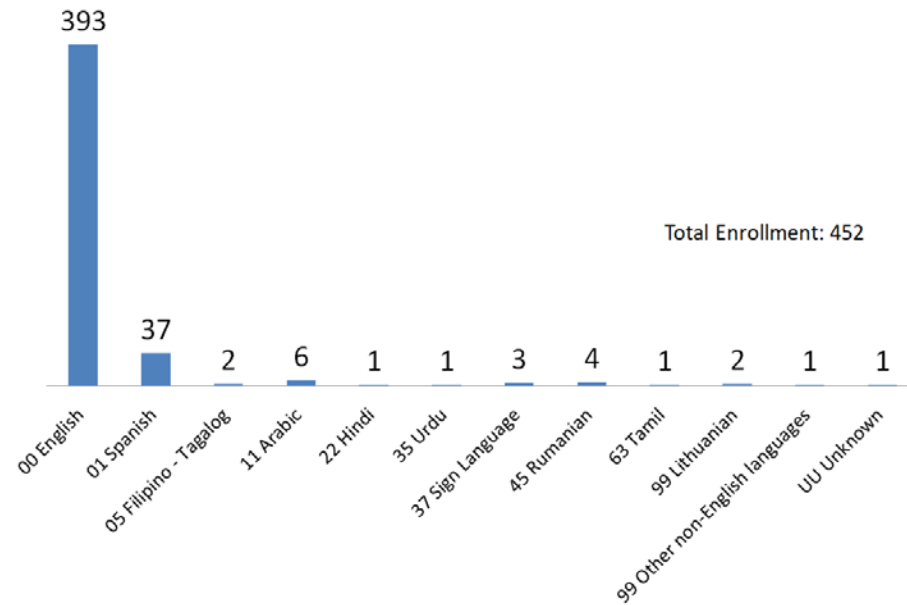
Language Acquisition is broken down in the following percentages:

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1% (5 students)- IFEP
 8% (34 students)- RFEP
 3% (15 students)- EL
 88% (398 students)- EO

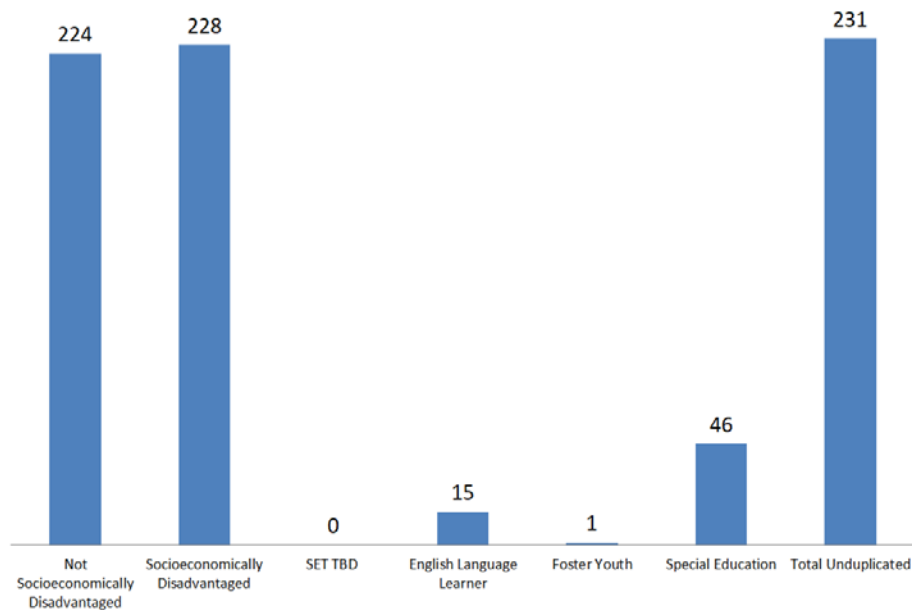
Student Language breakdown is displayed in the chart below:

CWCV 2020 Student Language Breakdown



Student enrollment by special program is displayed in the chart below:

CWCV 2020 Enrollment by Special Program



Enrollment Procedures

During open enrollment all applications submitted must be complete with all required documents. Those applications will then be eligible to be entered into the lottery.

Our enrollment is not guaranteed; it is based on first come, first serve, or public random drawing/lottery and teacher availability in your area. Once your application is completed, with all the required documents, your student is entered into our system as a “prospective student” and assigned a teacher if available. Incomplete applications will not be processed and you will be notified of what is missing.

You will be called by our Intake Department who will set up an appointment for you and your student to meet with one of our intake specialists at our learning center.

Attendance of this meeting is required and will be your official first day enrolled with CWCS. Please note: Intake meetings may become informational throughout the school year depending on ES availability.

Apply Online at cwcentralvalley.org

1. Fill out our online application form.
2. Your enrollment cannot move forward until all of the required documentation is received.

These documents can be:

Scanned and uploaded to your application Faxed

to (209)-874-9531

Mailed to CWCS Enrollment, 12420 Bentley Street., Waterford, CA 95386

Dropped off at the Central Valley Resource Center, 2000 Briggsmore Ave. Suite A, CA 95350 or the CWCS Office, 12420 Bentley Street, Waterford, CA 95386

Annual Charter School Report**REQUIRED DOCUMENTS THAT MUST COME WITH THE APPLICATION:**

Your enrollment cannot move forward until all of the required documentation is received. The required documents are:

A legible copy of the student's up-to-date completed Immunization Records – including new Pertussis (Whooping Cough) requirement for students in grades 7 – 12.

Proof of Residency (must list parent/guardian name and permanent physical address, such as a PG&E bill or lease agreement)

A completed Health Exam form (for TK, Kindergarten and 1st grade students only)

A completed Oral Health Assessment form (for TK, Kindergarten and 1st grade students only)

A copy of the student's official or unofficial High School Transcripts (please retain the original for the initial enrollment meeting)* if applicable

Enrollment applications received without the required documentation will not be processed until all documents have been received.

Please note: DO NOT dis-enroll your student from their current school until you have completed enrollment paperwork during your intake appointment.

Additional Documents:

Document verifying student's age: evidence may be in the form of a certified copy of a birth record or a statement by the local registrar or a county recorder certifying the date of birth, or a baptism certificate duly attested, or a passport/visa.

State testing student score report: most recently received in the mail from last school attended.

R-4 Affidavit: If applicable Caregiver Affidavit: if applicable

Official College transcripts: If applicable (high school students) A copy of the student's up to date immunization record Please call 1-800-808-9895 ext. 6, if you have questions about any immunization or health forms.

Forms

Health Examination Form: required for transitional kindergarten, kindergarten and 1st grade students entering the school system for the first time

Oral Health Assessment: required for transitional kindergarten, kindergarten and first grade students entering the school system for the first time

A child shall be admitted to a kindergarten maintained by the school district at the beginning of a school year, or at a later time in the same year if the child will have his or her fifth birthday on or before one of the following dates (EC 48000[a]):

For the 2016-17 school year and each school year thereafter the date is September 1.

A transitional kindergarten is the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate.

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Pursuant to law, (EC 48000[c]), a child is eligible for transitional kindergarten if a child will have his or her fifth birthday between September 2 and December 2.

CDE recommends that districts establish criteria to determine selection requirements for kindergarten eligible children who enroll in transitional kindergarten. Children who are age-eligible to attend kindergarten, but choose to enroll in transitional kindergarten will need a signed parental permission continuance form verifying that the parent/guardian agrees to have his/her child continue in kindergarten for one additional year. A sample form, in English and Spanish, is available.

Kindergarten Continuance Form (English) (PDF; 13KB; 2pp.) Available

Translations of the Kindergarten Continuance Form

Kindergarten age appropriate students may attend TK if their 5th birthday is on June 1st

- Oct. 1. Parents must fill out the Kindergarten Continuance form upon enrollment to TK (verifying the parent/guardian agrees to have his/her child continue in kindergarten for one additional year. We do not allow mid-year grade changes.

Children who turn five years old after December 2 are not eligible to enroll in TK

A student who is an English Learner can be enrolled in CWCS. However, just like all students they have to receive English instruction 4-5 days a week. Classes will be offered online or onsite.

DUAL ENROLLMENT

For our continuing and newly enrolled families, we want to remind you that CWCS are public schools, therefore your child(ren) cannot be enrolled in CWCS and another public or private school at the same time, even for one class. California Education Code Section 47602(b) and Title 5, California Code of Regulations Section 11965(a) prohibit such “dual enrollment”. As a consequence of any dual enrollment, CWCS are forced to return all funds related to the attendance of any dually enrolled student to the state and may encounter issues during our annual audit. The only other private or public school that a student at CWCS may be enrolled in is a community college with the necessary approval from CWCS, pursuant to the signed enrollment forms.

PREVIOUSLY ENROLLED STUDENT OR SIBLING ENROLLMENT

We do not hold onto your enrollment application or student cumulative file when you leave to go to another school. You will need to send in all required documents again and update all information on your online application.

TO ENROLL A SIBLING

You will need to go to the parent portal tab located under quick links. Log in using your current username and password. Once you are on the household dashboard click on REG-Online. This will take you to the original 5 step application. Under step 3 you can scroll down and click on the tab: new student application. Complete student information and student documents which will require signatures from both the parent/guardian and student. Make sure to update each section and save the changes. Once you have saved step three it will allow you to move on to step 4. Once all 5 steps are completed you will receive confirmation of your pre-registration. If you need assistance please contact student records at 1(800)808-9895 ext. 313.

STATUS OF ENROLLMENT APPLICATION

Please allow three (3) business days before calling or emailing to confirm your enrollment application has been received. After three business days, you may email Enrollment at enrollment@cwcharter.org or call 1-800-808-9895 ext. 110 to confirm receipt of your enrollment documents.

For enrollment in Connecting Waters, Central Valley:

All completed applications received will be processed for enrollment based on ES availability. Following the open enrollment period each year, applications shall be counted to determine whether CWCV has received more applications than availability. In the event that this happens, CWCV will hold a public random drawing to determine admission, with the exception of existing students who are guaranteed admission in the following school year. Admission preference in case of a public random drawing shall be granted in this order: 1) siblings of enrolled students, 2) children of currently employed staff, and 3) residents of the local school District.

At the conclusion of the public random drawing, all students who were not granted admission due to capacity shall be given the option to put their names on a wait-list according to their draw in the lottery. This wait-list will allow students the option of enrollment in the case of an opening during the current school year. In no circumstance will a wait-list carry over to the following school year.

Public random drawing rules, deadlines, dates and times will be communicated on CWCV website. The lottery will be held in a public facility that is large enough to accommodate all who are interested. A disinterested party will conduct the lottery. Parents do not have to be present to participate in the lottery. Public notice for

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The date and time of the public random drawing will also be posted once the application deadline has passed. CWCV will also inform parents/guardians of all applicants and all interested parties of the rules to be followed during the public random drawing process via mail or email at least two weeks prior to the lottery date. Students will be placed on a wait-list once all teachers have reached their caseload capacity. The lottery will be conducted prior to the last day of enrollment for the school year. Families selected through the lottery process will be called and/or notified in writing of their acceptance into CWCV will create a timeline for accepting a spot.

Prospective list:

You will remain on the prospective list until you complete the intake meeting with the intake specialist and are contacted by an ES in your area.

You will be contacted as soon as possible when there is an ES available in your geographical area. If you haven't heard from the Intake Department then there isn't any available space.

Connecting Waters, Central Valley / Connecting Waters, is based on completed applications and we need to have an ES available in your geographical area in which to assign you to. If the ESs are full in your geographical area, you will have to wait until an ES becomes available or let us know you will meet an ES in another area.

If you are going on vacation during the timeframe of our intake dates you may call 1-800- 808-9895 ext. 6 or email studentrecords@cwcharter.org and request that you not be called during the dates of your vacation.

STUDENTS WHO HAVE BEEN EXPELLED MAY APPLY FOR ENROLLMENT

You may submit your enrollment application and required documents including your latest state assessment results, and then you will be instructed to contact our Executive Director who has the only authority to enroll a student previously expelled from another school.

ENROLLMENT DEADLINE AND ENROLLMENT FOR NEXT SCHOOL YEAR

We are continuously taking enrollment applications. However, if there is no ES available your student will be placed on a waitlist until one becomes available.

The last day to enroll in CWCS for 2019-2020 school year is Friday, February 21, 2020 depending on ES availability (and/or lottery placement for CWEB students), however you should submit your application in plenty of time to process your application, usually two weeks in advance to allow for any delays.

The application for the 2019-20 school year is currently open.

WHAT DO I DO IF I CANNOT GET INTO CONNECTING WATERS CHARTER SCHOOLS?

Please contact the [CA Department of Education \(CDE\)](#) or contact your local County Office of Education.

FUNDING

CWCS are publicly funded schools by the state of California and does not charge tuition, it is free to attend.

CWCS provide instructional funds (IF) to the ES for each student's educational materials, courses, group education activities (GEAs) extra-curricular activities and educational supplies. These funds are provided by the state of California and all materials purchased are the property of Connecting Waters Charter Schools

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and are to be returned upon request. All decisions regarding the expenditure of these funds must comply with the guidelines of charter law and the California Department of Education, according to school policy, and ultimately are managed by the credentialed ES.

The state of California allocates funding to our school based on the average daily student attendance.

CURRICULUM:

Curriculum is purchased by the ES from our approved vendor list for each student. Parents can also choose to purchase their own curriculum with their own money.

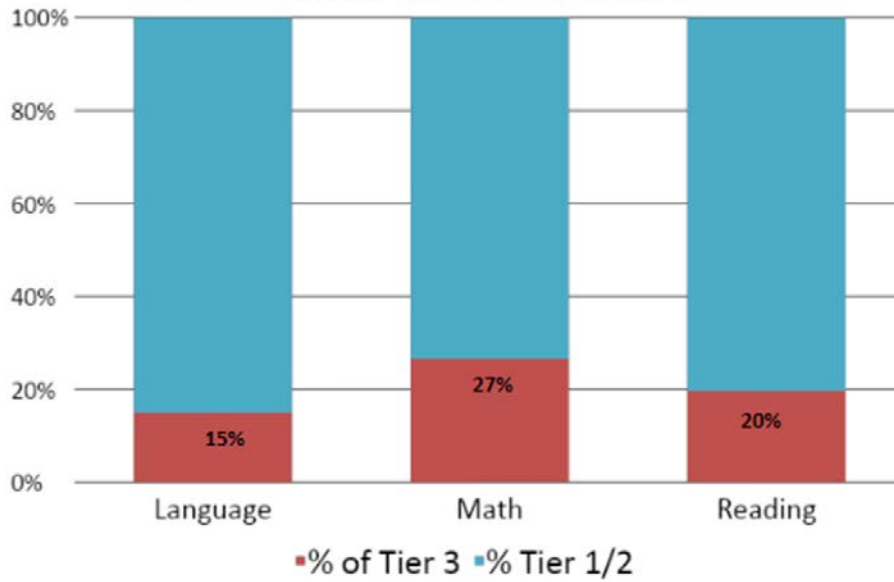
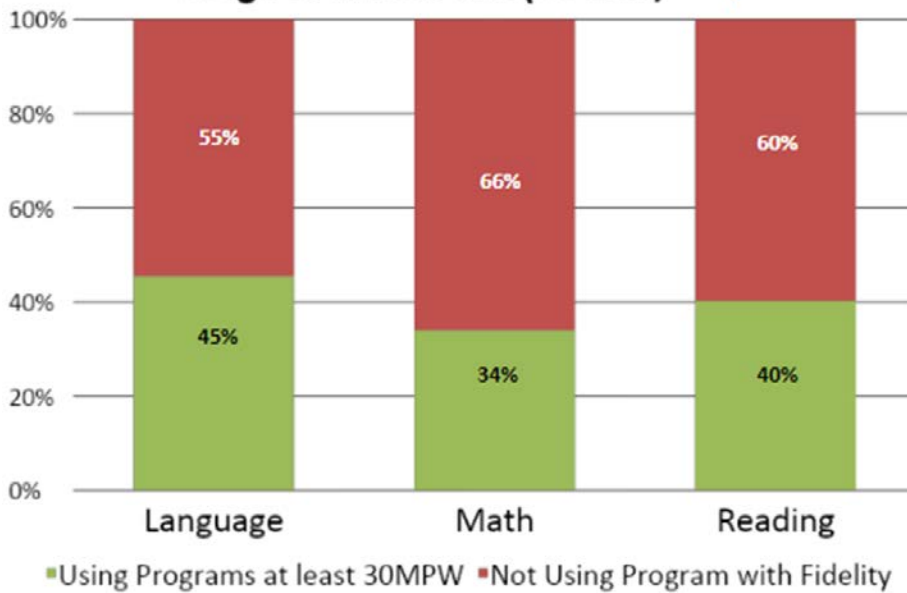
Pursuant to Education Code Section 47605, California charter schools must affirm that they will be nonsectarian in their programs, admissions policies, employment practices, and all other operations. Article 1 Section 4 of the California Constitution and the 1st Amendment of the U.S. Constitution prohibits the government from establishing a religion. The use of public funds to purchase sectarian instructional materials has been found to violate the constitutional prohibitions as an endorsement of a religion. Families are free to practice their religion and to use sectarian instructional materials outside of public school instruction and activities.

However, Connecting Waters may not purchase those sectarian materials using public funds. Further, Connecting Waters may not assign instructional activities from sectarian materials purchased by parents using their own funds, nor select work samples from those materials, nor collect attendance for student engagement on instructional activities using those materials. All operations of Connecting Waters must be nonsectarian, this would include instructional programs and activities.

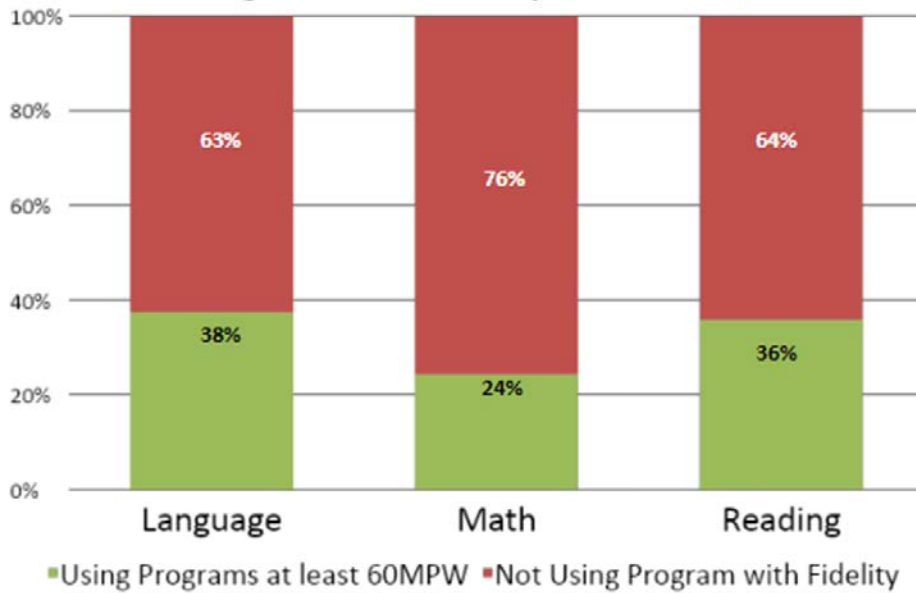
Number Of Students To Disenroll

From 10/4/19, 61 students have withdrawn for various reasons such as: returning to traditional school, wasn't a good fit, moving out of the area, going to a private school.

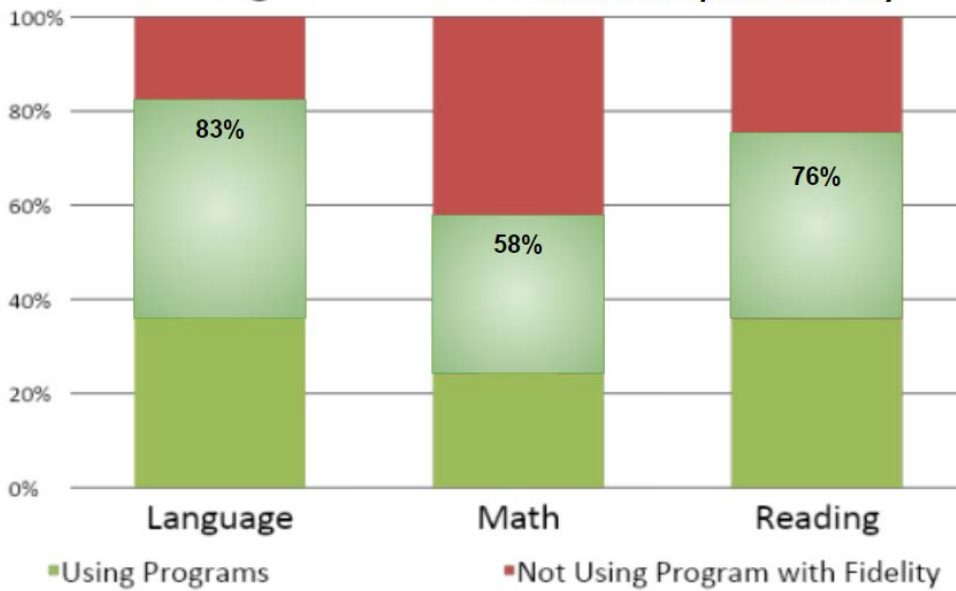
**The 2019-2020 Fall NWEA MAP Assessment results
grades 2-11 are displayed in the following charts below.**

**CWCV 2019-20 Fall NWEA MAP
Assessment Results Grades 2-11****CWCV 2019-20 (Sem1) Tier 3 Student
Usage of Exact Path (30 Min/ WK)**

CWCV 2019-20 (Sem1) Tier 3 Student Usage of Exact Path (60 Min/ WK)



CWCV 2019-20 (Sem1) Tier 3 Student Usage of Exact Path with Adequate Fidelity



CWCV Progress in LCAP Goals

Goal 1 - Increase percent of students who are on-track to graduate college and career ready.

- Provided Standards Aligned Core & Supplemental Curriculum
- Classes for Increased Student Support
- Increased Staff Professional Development

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- Focused on Continued Parent Training
- Expanded Science Department and Increased Alignment to NGSS
- Expanded CTE Department for Increased Student Pathways

Goal 1 Metrics

- 2018-19 was Connecting Waters Charter School, Central Valley's first year of operation
- 2019 Fall Dashboard established a baseline for progress in goal
- Local Data (NWEA) criterion referenced assessments (standards mastery) used

Goal 2 - close the achievement gap in the low performing students in English and math.

- Summer School
- Increased Writing Support
- Provided Toolkits for SED Student
- Response to Instruction
- High School Intensive Program
- Instructional Coaching
- Transition Supports for SpEd Students

Goal 2 Metrics

- AIMSweb was used 1st year of operation 2019
- Local Data (NWEA) criterion referenced assessments (standards mastery) used 2020 as a pilot

Goal 3 - Increase the percentage of English learner (el) students who achieve proficiency in English language arts and math.

- English Language Classes
- Designated English Language Development
- Additional Support for RFEP Students
- ELD Training for Instructors
- Program Type 5 Curriculum

Goal 3 Metrics

- 2018-19 ELPAC results established baseline
- Local Data Used

Curriculum Overview

ELA

- K-5 Journeys (HMH)
- 6-12 CA Collections (HMH)

Math

- K-8 Go Math (HMH)
- Algebra 1: Analyze, Connect, Explore (HMH)
- Houghton Mifflin Geometry & Algebra 2
- Cengage Pre-Calculus & Calculus

Science (in process of new curriculum review for 2020-2021)

- K-5 Science Fusion (HMH)
- 6-8 Science Fusion and Glencoe Sciences
- Pearson Elevate Pilot 2020
- 9-12 Glencoe Sciences

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Social Studies

- K-8 My World (Pearson)
- 9-12 Pearson CA Social Studies 2019 Series

Tier 3 Intervention Options

- SRA Corrective Reading (Decoding & Comprehension)
- Curriculum Associates CAMS/STAMS/SOLVE Math Intervention
- Let's Go Learn Math & Reading CAI
- iReady Math & Reading CAI
- Ascend Math
- NWEA / Exact Path Pilot 2020

Designated ELD

- HMH Escalate
- 3D Writing

Instructional Support & Response to Instruction

- Developmental Classes & Research Based Computer Aided Instruction for Struggling Students
- Increased Supports for Tier 3 students for 2019-20 (Rtl Coordinator)
- Refined High School Intensive Program
- EL Program
- Increased Math Instructional Options 2019-20

Online classes offered through:

- English
 - Language Arts classes for grades TK – 12th
 - Writing Support classes for grades 3rd – 12th
 - AP English Language/Composition
 - AP English Literature/Composition
- Mathematics
 - Math for grades 4th – a-g Algebra 2
- Social Studies
 - Social Studies for grades 8th – 12th
 - Electives include a-g Psychology
- Science
 - Onsite labs with science through a-g Chemistry
- Visual and Performing Arts
 - a-g Visual Arts and a-g Music
- Foreign Language
 - Chat Café for a-g Spanish 1-3 and a-g French 1-3 meets online to build communication skills

Math Department:

- Supplemental Online Math Classes taught by school staff: Math 4 - a-g Algebra 2
- Resource Center Classes--Math 6 through a-g Geometry
- Weekly Drop-In Math tutoring at the Resource Center- 2 days per week; 4 hours total
- Math Club for grades 6-12 (online monthly meetings; organized and led by students)
- High School Intensive--online program for high school students struggling to earn Pre-Algebra and Algebra 1 credit; content for each course is divided into 10 modules; students earn 1 credit for each module that they complete/pass
- Math Competition Opportunities--AMC 8/10/12; Dick Schaff Math Superbowl

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- I Cans-- Compilation of digital resources for each grade level, K-8, organized by standard; available to all families to supplement their independent study

Career Technical Education (CTE):

- CV Offers Several CTE Pathways. All CTE courses are taught by CTE Credentialed Teachers:
- Business Finance - features Financial Literacy Certification
- Child Development - Concentrator and Capstone courses are approved by UC as "g - College Prep Electives" subject area
- Culinary Arts
- Health Careers - features Internships in the 2nd year
- Interior Design: Concentrator and Capstone courses are approved by UC as "f - Visual and Performing Arts" subject area.

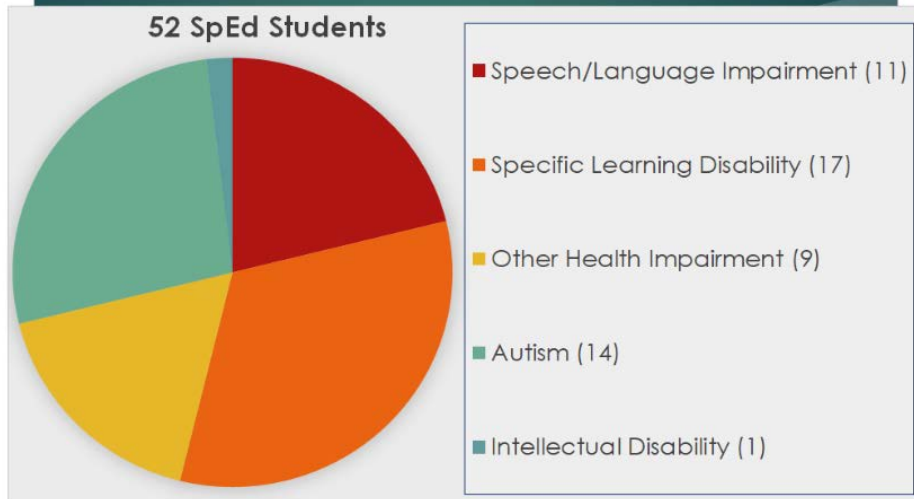
EL Department:

- The Bridge Program meets two days for 8th grade students and includes Math, English, Social Studies, Science, Electives and Study Hall
- English Classes for English Learners are very successful
- CAASPP Prep classes are offered for all students, and our English Learners are highly encouraged to attend
- A Bilingual Aide is present at the Resource Center 3 days per week to provide services for students, parents, and staff
- Status As of Census Day:
 - 15 English Learners (EL)
 - 34 Reclassified (RFEP)
 - 5 Initial Fluent (IFEP)
- Current Status:
 - 15 English Learners (EL)
 - 34 Reclassified (RFEP)
 - 7 Initial (IFEP)

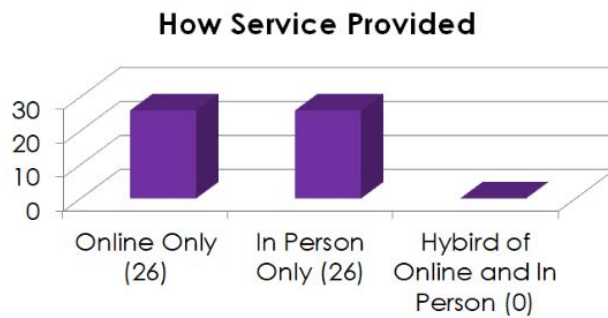
Special Education

Our Special Education department serves 52 students in the following charts you will see the breakdown of student impairments and services displayed.

CV - SpEd Enrollment By Disability

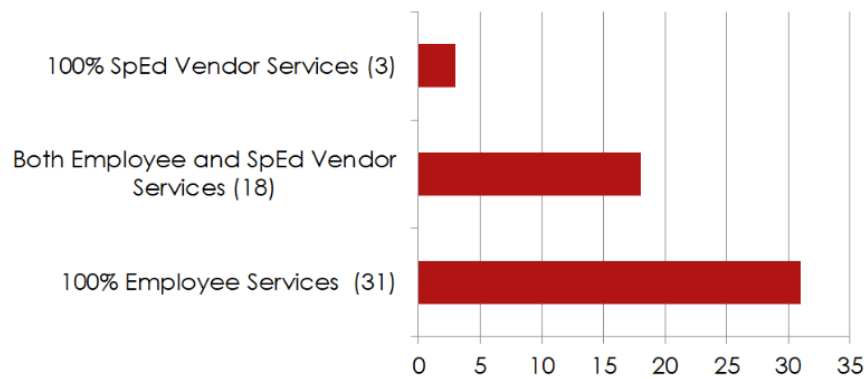


CV - How Services are Provided (Online vs. In Person)



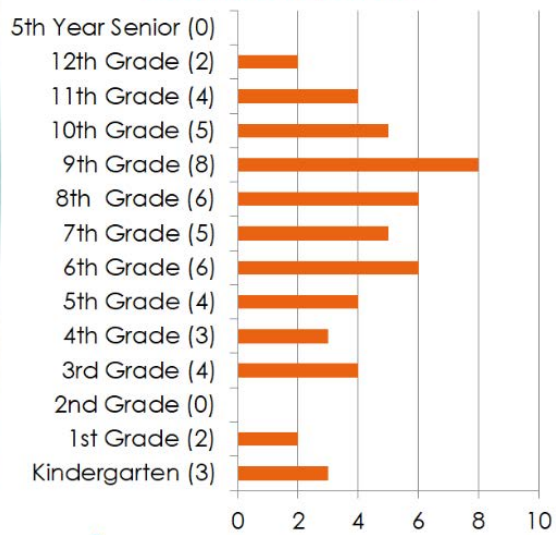
CV - How Services are Provided (SpEd Vendor vs. Employee)

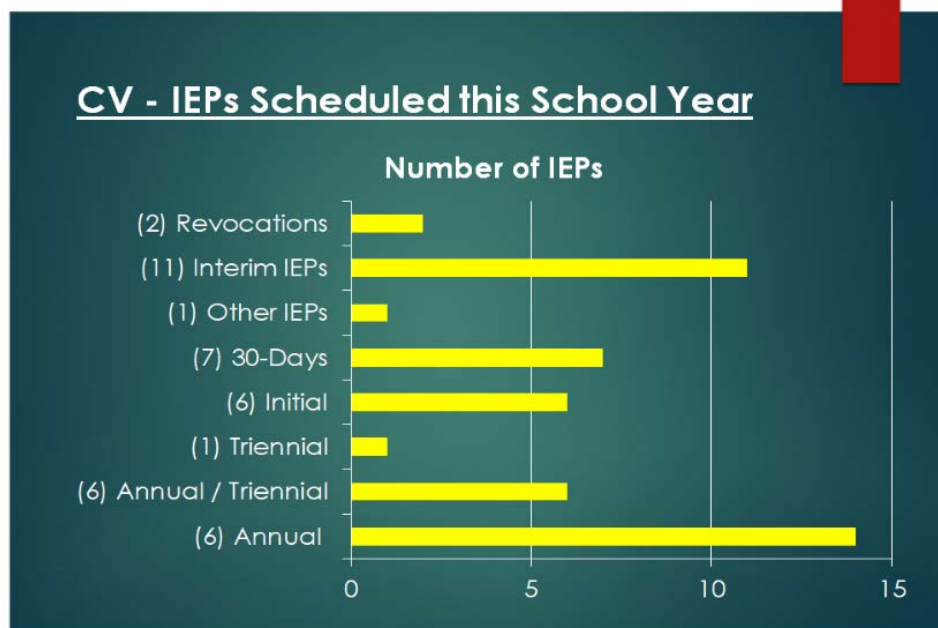
How SpEd Services are Provided to (52 Students)



CV - SpEd Enrollment by Grade

Enrollment by Grade





Finance Report

State law requires all charter schools approve their Second Interim Budget by March 15th each year. The Second Interim reflects year-to-date actuals through January 31 and modifies revenue and expenditure projections to reflect any changes since First Interim Budget.

As of this reporting period, Connecting Waters – Central Valley's enrollment is 499, up 53 since First Interim Budget. While enrollment has substantially increased, Average Daily Attendance (ADA) is trending at 88% (440.41) of enrollment up by 2.65. This 2.65 ADA increase is expected to positively impact revenue projections by \$12,208.

Due to qualifying students, Mental Health Level 2 funds are a small addition to the anticipated revenue for this Fiscal year. Additionally, \$44,854.23 of the Public Charter School Grant award remains. These funds must be expended or encumbered prior to June 30, 2020.

With revenue and expenditures recalculated through January 31 there is currently a projected budget surplus of \$92,836 for the year. After the Umpqua Bank Debt Service, the new projected ending fund balance for the year is \$4,852,835.

As best practice, 3% of expenses have been set-aside as economic uncertainty reserve for this year and 1.5% the subsequent two years. Connecting Waters – Central Valley continues to demonstrate fiscal stability and improving reserves and is projected to meet all obligations as scheduled.

However, we recommend closely monitoring staffing, enrollment and attendance levels and making budget adjustments as needed.

2019-20 2nd Interim Budget

Assumptions	2019-20	2020-21	2021-22
ADA	440.41	440.41	440.41

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Description	2019-20	2020-21	2021-22
REVENUES			
TTL General Purpose Entitlement	4,147,163	4,239,251	4,349,528
TTL Federal Revenue	109,235	55,051	55,051
TTL Other State Revenue	337,544	340,355	340,355
TTL Other Local Revenue	1,500	1,500	1,500
TTL REVENUES	4,595,442	4,636,157	4,746,435
EXPENDITURES			
TTL Certificated Salaries	1,748,309	1,800,758	1,854,781
TTL Non-Certificated Salaries	213,651	220,060	226,662
TTL Employee Benefits	718,874	766,876	804,208
TTL Books/Supplies/Materials	479,091	493,463	508,267
TTL Services & Operations	972,851	999,141	1,026,221
TTL Capital Outlay	15,000	15,000	15,000
TTL Other Outgo	354,831	294,461	273,501
TTL EXPENDITURES	4,502,606	4,589,760	4,708,641
Revenues less Expenditures	92,836	46,397	37,794
Beginning Fund Balance	5,298,984	4,852,835	4,289,938
Net Revenues	92,836	46,397	37,794
Debt Service	538,985	609,295	632,351
ENDING BALANCE	4,852,835	4,289,938	3,695,380
ENDING BALANCE AS % OF OUTGO	107.78%	93.47%	78.48%

Student Discipline

So far this year we have held 11 student and family evaluation hearings for those students and families who were not making adequate progress academically. Out of those 10 evaluation hearings 6 students were from one family. In this family 5 of the students voluntarily chose to go back to the regular classroom setting. The remaining student was recommended by the CWCS Board of Directors to begin the process of putting this student back into the regular classroom setting as well. Of the remaining 5 students two dropped voluntarily and chose to go back to the regular classroom setting and three students and their guardians signed a follow up agreement outlining stipulations they were to adhere to in order to remain successful at Connecting Waters, Central Valley.

CWCS Truancy Policy Board approved 1/27/2020

Truancy Definition

Attendance is very important to a student's success in school. Connecting Waters Charter Schools expects that both students and parents take responsibility for ensuring that each student attends school each day. Students enrolled at Connecting Waters Charter Schools must engage in an educational activity or activities required by the School on each of the days of the regular school calendar (175) per year. Due to the unique nature of an independent study program, the definition of "truancy" CWCS is defined in the policy below as a

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missed assignment/attendance period or missed appointment of any kind with the School or one of its employees (i.e. assessments, services, review of work product). This is not the same definition of "truancy" in a traditional, site based school.

Truancy Policy

Pursuant to the Independent Study Policy adopted by the CWCS Board of Directors, students who fail to demonstrate adequate and appropriate monthly progress toward the student standards (missed assignment/attendance) or after a missed appointment will be subject to the truancy policy and an Evaluation Hearing will be held to consider whether it is in the best interest of the student to remain in independent study. An initial hearing after the first truancy may either be in the form of a consultation with the parent/guardian/student or an in-person meeting held at our school office. Hearings after a second truancy must take place in person at the school office. Parents/guardians or adult students will be informed of this policy as part of the Master Agreement signed each year.

A missed assignment/attendance period is defined on the Attendance Roll by unexcused absences or a pattern of excused absences.

A school appointment may be defined as learning record meetings, classes, tutoring, testing days, PLT/504/IEP meetings, CAHSEE Intensive, and Contract Program Classes (including Moodle/Elluminate and Learning Center courses) for grades TK-12 in English, English Learner, Math, Science, Social Science, VPA and Foreign Language. The parents/guardians or adult students are required to give at least 24 hours' notice for any cancellation or change of appointment except in case of an emergency. An emergency would be considered something like a car accident, sudden illness, or other types of tragic events that prevent a person from being able to keep their appointment or give a 24 hour notice.

It is CWCS' policy to hold an Evaluation Hearing for students who are truant for two school attendance periods (length of time between meetings with an ES, but no more than 20 days maximum) or have 2 missed appointments within the same school year, or a combination of the above. Please note that the truant attendance periods within one school year do not have to be consecutive. In accordance with the Independent Study Policy and the Master Agreement, an Evaluation Hearing, or whenever else it is deemed necessary, will be held to determine whether it is in the best interest of the student to remain in independent study after one or more missed assignments or appointments.

Warning

Students who miss an assignment, school appointment, have a pattern of excused absences, or are at risk of falling below the required attendance requirements as defined above shall be sent a warning letter, reminding the student of this policy and requirements of the Master Agreement and will be consulted or invited to attend an Evaluation Hearing at the school office to determine whether remaining in independent study is in the best interest of the student.

Evaluation Hearing:

Students who have missed one or more assignments/attendance periods, or school appointments shall be invited to attend an Evaluation Hearing (as defined above) to determine whether it is in the best interest of the student to remain in an independent study program. This Evaluation Hearing will be held as soon as possible and will be conducted by the Administration or designee. The Executive Director shall provide written notification to the parent/guardian or adult student of the Evaluation Hearing date. The parent/guardian or adult student may request one postponement, not to exceed five (5) school days, of the Evaluation Hearing for good cause.

At the Evaluation Hearing, the parent/guardian or adult student shall be informed of the reason for the

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Evaluation Hearing and the evidence supporting a finding that independent study is not in the student's best interest. If the student and/or representative do not attend the Evaluation Hearing, the Administration will review the relevant information and make a determination in the student's absence.

The student and/or his/her representative shall be given the opportunity to present information and/or witnesses to the Administration either orally or in writing or both during the Hearing. The Administration shall take any information presented by the parent/guardian or adult student into consideration when determining whether it is in the best interest of the student to remain in independent study. Additional factors to be considered include but are not limited to the following:

- a) Student's grades at the time of the evaluation
- b) Teacher observation/feedback
- c) Standardized/local testing data
- d) Student's progress in independent study curriculum
- e) Monthly review of work
- f) Annual portfolio
- g) Parent, student, observation
- h) Norm - and criterion-referenced tests
- i) Student demonstrations
- j) Student work samples
- k) Student self-evaluation

The Administration's decision shall be provided in writing to the parent/guardian or adult student within three (3) days of the evaluation. The Administration may:

- a) Find remaining in independent study is in the student's best interest,
- b) Place the student on attendance probation to be evaluated again at a later time if the student continues to fail to engage in daily activities,
- c) Use other alternatives to improve attendance, or
- d) Find that it is not in the student's best interest to remain in independent study.

If the Administration finds that it is not in the student's best interest to remain in independent study, then the student shall be withdrawn from enrollment at CWCS and the parent/guardian or adult student shall immediately enroll in a site based program through the local school district or other appropriate educational program.

Students with a Section 504 Plan or IEP[LC3] :

i. If the student who is subject to an evaluation under this policy as to whether remaining in independent study is in the best interest of the pupil has a Section 504 Plan or IEP, CWCS shall conduct a manifestation determination ("MD") to evaluate whether the student missed assignment(s) as a result of:

- 1. The student's disability; or
- 2. CWCS' failure to properly implement the student's Section 504 Plan or IEP.

ii. If the MD finds that the student missed assignment(s) is a manifestation of the student's disability CWCS shall convene an IEP Meeting or Section 504 Meeting to determine whether the independent study program is in the best interests of the student and providing the student with an educational benefit or whether the student should be referred to an alternative placement and educational

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program that would better satisfy the student's unique needs.

- iii. CWCS shall provide parent(s) with the applicable Procedural Safeguards.

Appeal:

The Administration's decision shall be subject to an appeal to a Committee of the Board of Directors. The parent/guardian or adult student shall submit a written request to the Board of Directors, outlining the reasons for the appeal.

The appeal must be requested in writing and received within five (5) school days following the Evaluation Hearing. The written appeal must be received by CWCS district office in Waterford on or before the close of the business day (4:00pm) within five (5) school days following the Evaluation Hearing. The district office in Waterford must be called or emailed to confirm receipt of appeal.

Upon receipt of a request for an appeal hearing, the Board of Director Committee shall schedule the appeal to be heard within fifteen (15) school days of receipt of the request. The Board of Director Committee shall send out written notice of the date, time and location of the meeting to the parent/guardian or adult student. The Board of Director Committee shall hear the appeal in closed session, unless the parent/guardian or adult student requests in writing to have the matter heard in open session.

The appeal hearing shall proceed as follows:

1. The Committee shall review the request for appeal document and any other documents submitted by the parent/guardian or adult student. The Committee shall also review all records considered by the Administration at the Evaluation Hearing.
2. The student or his/her representative may address the Committee regarding the appeal.
3. The Administration may address the Committee in response to the parent/guardian or adult student's appeal.

The final decision by the Committee shall be made within five (5) school days following the conclusion of the appeal. The parent/guardian or adult student shall be informed in writing of the Committee's decision. The decision of the Board of Director Committee is final.

Suspension and Expulsion Procedures Policy Board approved 9/16/2019

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all students at the Charter Schools. In creating this policy, Connecting Waters Charter Schools ("CWCS") (collectively, "the Charter Schools") have reviewed Education Code Section 48900 *et seq.* which describes the non-charter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* The Charter Schools are committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the Charter Schools' policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. The Charter Schools staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook, and maintained in the Executive Director's office, and will clearly describe discipline expectations.

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Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

The Charter Schools administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline and involuntary disenrollment policies and procedures. Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion.

A student identified as an individual with disabilities or for whom the Charter Schools have a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. The Charter Schools will follow all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the Charter Schools have a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

Grounds for Suspension and Expulsion of Students

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

Enumerated Offenses

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 or 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.

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- 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. 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.
- o. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- p. 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.
- q. Made terroristic 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.
- r. 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.
- s. Caused, attempted to cause, threatened 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.
- t. 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.
- u. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 - 1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

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- i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- 2) "Electronic Act" means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
- I. A message, text, sound, or image.
 - II. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed that the pupil was or is the pupil who was impersonated.
 - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
 - iii. An act of cyber sexual bullying.
 - (a) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - (b) For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- 3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

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- v. 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) (a).
- w. 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 Executive Director 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 student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.
- b. Brandishing a knife at another person.
- c. Unlawfully selling a controlled substance listed in Health and Safety Code Section 11053, et seq.
- d. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900(n).

3. Discretionary Expellable Offenses: Students may be recommended for expulsion 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 or 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.

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- 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. 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.
- o. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- p. 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.
- q. Made terroristic 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.
- r. 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.
- s. Caused, attempted to cause, threatened 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.
- t. 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.
- u. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 - 1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.

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- iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- 2) "Electronic Act" means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - i. A message, text, sound, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - a. Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - b. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed that the pupil was or is the pupil who was impersonated.
 - c. Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
 - iii. An act of cyber sexual bullying.
 - a. For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - b. For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- 3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- v. 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) (a).

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- w. 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 Executive Director or designee's concurrence.

4. Non-Discretionary Expellable Offenses: Students must be recommended for expulsion 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 student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.
- b. Brandishing a knife at another person.
- c. Unlawfully selling a controlled substance listed in Health and Safety Code Section 11053, et seq.
- d. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900(n).

If it is determined by the Administrative Panel and/or Board of Directors that a student has brought a firearm 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. In such instances, the pupil shall be provided due process rights of notice and a hearing as required in this policy.

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.

Suspension Procedure

Suspensions of fewer than 10 days for a single event shall be initiated according to the following procedures:

1. Conference

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

The conference may be omitted if the Executive Director 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 Schools personnel. If a student is suspended without this conference, both the parent/guardian (for students under age 18) 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

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against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense, in accordance with Education Code Section 47605(b)(5)(J)(i). 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 Schools 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 of students under age 18 by telephone or in person. Whenever a student under age 18 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 CWCS 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 Executive Director or Executive Director'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. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil's parents, unless the pupil and the pupil's parents fail to attend the conference. This determination will be made by the Executive Director 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.

For suspensions of 10 days or more and all other expulsions for disciplinary reasons, the Charter School shall: provide timely, written notice of the charges against the student and an explanation of the student's basic rights; and provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the student has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate, in accordance with Education Code Section 47605(b)(5)(J)(ii).

Authority to Expel

As required by Education Code Section 47608(b)(5)(J)(ii), students recommended for expulsion are entitled to a hearing adjudicated by a neutral officer to determine whether the student should be expelled. The procedures herein provide for such a hearing and the notice of said hearing, as required by law.

A student may be expelled either by the Charter Schools Board following a hearing before it or by the Charter Schools 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 nor a Board member of the Charter Schools' governing board. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

Expulsion Procedures

No student shall be involuntarily removed by the Charter School for any reason unless the parent or

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guardian of the student has been provided written notice of intent to remove the student no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder, and shall inform him or her of the basis for which the pupil is being involuntarily removed and his or her right to request a hearing to challenge the involuntary removal. If a parent or guardian, or educational rights holder requests a hearing, the Charter School shall utilize the same hearing procedures specified below for expulsions, before the effective date of the action to involuntarily remove the student. If the student's parent, guardian, or educational rights holder request a hearing, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include removals for conduct which may be grounds for or expulsion as enumerated above.

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 Executive Director 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 in open session three (3) days prior to the date of the scheduled 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 the mailing of 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 CWCS'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 CWCS to any other school district or school to which the student seeks enrollment;
5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
6. The right to inspect and obtain copies of all documents to be used at the hearing;
7. The opportunity to confront and question all witnesses who testify at the hearing;
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses

CWCS 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 CWCS or the hearing officer, who is the neutral person presiding over the hearing. The hearing officer is selected by the Administrative Panel or the Board of Directors, depending on the entity conducting the hearing, among the members of the Administrative Panel or the Board of Directors, as the person who will preside over the hearing. The hearing officer may be selected based on experience or degree of neutrality. The hearing officer is also referred to herein as the "person presiding over the hearing" or the "presiding official." 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. CWCS 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 entity conducting the expulsion 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 entity conducting the expulsion hearing (either the Administrative Panel or the Board) may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The entity 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 entity 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, CWCS must present evidence that the witness' presence is both desired by the witness and will be helpful to CWCS. 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. 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.
8. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in 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.
9. 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.

Students with a Section 504 Plan or IEP

If the student who is subject to an evaluation as to whether remaining in independent study is in the best

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interest of the pupil has a Section 504 Plan or IEP, CWCS may conduct a manifestation determination (MD) to evaluate whether the student's conduct is the result of:

1. The student's disability; or
2. The Charter School's failure to properly implement the student's Section 504 Plan or IEP.
 - I. If the MD finds that the student's conduct is a manifestation of the student's disability, the Charter School shall convene an IEP Meeting or Section 504 Meeting to determine whether the independent study program is in the best interest of the student and providing the student with an educational benefit or whether the student should be referred to an alternative placement and educational program that would better satisfy the student's unique needs.

II. CWCS shall provide parent(s) with the applicable Procedural Safeguards.

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.

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, or a determination by the Board, 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 or Administrative Panel 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 decision of the Administrative Panel will be submitted to the Board immediately upon completion. 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.

Written Notice to Expel

The Executive Director 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: (a) Notice of the specific offense committed by the student; and (b) 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 CWCS.

The Executive Director 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; and (b) The specific expellable offense committed by the student.

Disciplinary Records

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

No Right to Appeal

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

Expelled Pupils/Alternative Education

Parents or guardians of 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. CWCS 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. Within 5 school days of the expulsion, CWCS shall have a voluntary post-expulsion meeting with parents/guardians in the manner requested to assist with locating alternative placements during expulsion, including in the County or school district of residence.

Rehabilitation Plans

Students who are expelled from CWCS 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 CWCS for readmission.

Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from a school district or charter school shall be in the sole discretion of the Executive Director or designee following a meeting with pupil and/or 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 Board shall then make a final decision regarding readmission during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the Brown Act. The pupil's readmission is also contingent upon the CWCS' capacity at the time the student seeks readmission.

Notice to Teachers

CWCS shall notify teachers of each pupil who has engaged in or is reasonably suspected to have engaged in any of the acts listed in Education Code Section 49079 and the corresponding enumerated offenses set forth above.

Student Complaint Process

General Complaints

Connecting Waters Charter Schools ("CWCS") (collectively "the Charter Schools") have adopted this General Complaint Policy to address concerns about the Charter Schools generally or regarding specific employees. For complaints regarding harassment or perceived violations of state or federal laws, please refer to the Charter Schools Title IX, Harassment, Discrimination, Intimidation, and Bullying Policy Harassment and/or the Charter Schools Uniform Complaint Procedures. For all other complaints, the General Complaint form and accompanying procedures will be appropriate.

INTERNAL COMPLAINTS

(Complaints by Employees against Employees)

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This section of the policy is for use when a Charter Schools employee raises a complaint or concern about a co-worker.

If reasonably possible, internal complaints should be resolved at the lowest possible level, including attempts to discuss/resolve concerns with the immediate supervisor. However, in the event an informal resolution may not be achieved or is not appropriate, the following steps will be followed by the Executive Director or designee:

1. The complainant will bring the matter to the attention of the Executive Director as soon as possible after attempts to resolve the complaint with the immediate supervisor have failed or if not appropriate; and
2. The complainant will reduce his or her complaint to writing, indicating all known and relevant facts. The Executive Director or designee will then investigate the facts and provide a solution or explanation;
3. If the complaint is about the Executive Director, the complainant may file his or her complaint in a signed writing to the Chair of the Board of Directors, who will then confer with the Board of Directors and may conduct a fact-finding or authorize a third-party investigator on behalf of the Board of Directors. The Chair or investigator will report his or her findings to the Board of Directors for review and action, if necessary.

This policy cannot guarantee that every problem will be resolved to the employee's satisfaction. However, the Charter Schools values each employee's ability to express concerns and the need for resolution without fear of adverse consequence to employment.

POLICY FOR COMPLAINTS GENERALLY

(General Complaints and Complaints by Third Parties against Employees)

This section of the policy is for use when either a complaint does not fall under other complaint procedures or a third party (non-employee) raises a complaint or concern about the Charter Schools generally, or a Charter Schools employee.

LEVEL ONE

The Charter Schools urge complainants to present their concerns to the Charter Schools employee to resolve matters at the ground level. If the complainant elects to file a complaint against the Charter Schools generally or a Charter Schools employee, the complainant will be directed to complete the Level One Complaint Form within fifteen (15) days of the incident and to submit this form to the ES Advisor or the Department Chair.

LEVEL TWO

If complaints cannot be resolved informally, complainants may appeal the Level One decision and file a Level Two Complaint Form with the office of the Executive Director or Chair of the Board of Directors (only if the complaint concerns the Executive Director) within fifteen (15) days of the date of the decision or action from the ES Advisor or the Department Chair. The written complaint should set forth in detail the factual basis for the complaint.

In processing the complaint, the Executive Director (or designee) shall abide by the following process:

1. The Executive Director or designee shall use his or her best efforts to ascertain the facts relating to the complaint. Where applicable, the Executive Director or designee shall talk with the parties identified in the complaint or persons with knowledge of the particulars of the complaint to ascertain said facts.
2. In the event that the Executive Director (or designee) finds that a complaint is valid, the Executive Director (or designee) may take appropriate action to resolve the problem. Where the complaint is

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against an employee of the Charter Schools, the Executive Director may take disciplinary action against the employee. As appropriate, the Executive Director (or designee) may also simply counsel/reprimand employees as to their conduct without initiating formal disciplinary measures.

3. The Executive Director's (or designee's) decision relating to the complaint shall be final unless it is appealed to the Board of Directors through a Level Three Complaint.

LEVEL THREE

If complaints cannot be resolved by the Executive Director or if the complaint concerns the Executive Director, complainants may appeal the Level Two decision and file a Level Three Complaint Form with the Chair of the Board of Directors within fifteen (15) days of the date of the decision or action from the Executive Director. The written complaint should set forth in detail the factual basis for the complaint. The decision of the Board shall be final.

GENERAL REQUIREMENTS

Confidentiality: All complainants will be notified that information obtained from the complainants and thereafter gathered will be maintained in a manner as confidential as possible, but in some circumstances absolute confidentiality cannot be assured.

1. Non-Retaliation: All complainants will be advised that they will be protected against retaliation as a result of the filing of any complaints or participation in any complaint process.
2. Resolution: The Board of Directors (if a complaint is about the Executive Director) or the Executive Director or designee will investigate complaints appropriately under the circumstances and pursuant to the applicable procedures, and if necessary, take appropriate remedial measures to ensure effective resolution of any complaint.

Parents as asked to please use level one, two, or three forms that are posted on the website under parent general information.

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Parent / Student's Complaint Form

Level One (Advisor or Department Chair)

This form must be filled out completely by a student or parent within 15 days of the date the student or parent first knew of the decision or action giving rise to the complaint or grievance. Please give your form to your ES Advisor or the Department Chair.

1. Student Name:	Grade:	ES:
2. Parent's Name:	Daytime Phone:	
3. Date of Incident:		
4. Please write a brief description of the incident:		

5. Has the incident been reported to anyone else?

6. What remedy do you seek to this complaint?

Student/Parent Signature

Date:

Received by Please provide the student/parent a copy of this report at filing.

Date:

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Parent / Student's Complaint Form

Level Two (Executive Director)

This form must be filled out completely by a student or parent appealing a Level One decision to the Advisor within 15 days of the date of the decision or action by the Advisor regarding the complaint or grievance. Please mail your form to C.W.C.S., 12420 Bentley Street, Waterford, CA 95386, attention Sherri Nelson.

1. Student's Name:	Grade:	ES:
2. Parent's Name:		Daytime Phone:
3. Date of Incident:		
4. Please write a brief description of the incident:		

5. Has this incident been reported to anyone else?

Name & Position

6. What remedy do you seek to this complaint?

7. Attach a copy of your original Level One complaint.

8. Attach a copy of your Level One decision.

Student/Parent Signature

Date

Received by

Date

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Parent / Student's Complaint Form Level Three**Level Three (Board of Directors)**

This form must be filled out completely by a student or parent appealing a Level Two decision to the Board of Directors within 15 days of the date the decision or action given by the Executive Director regarding the complaint or grievance. Please mail your complaint to: **Board of Directors, 12420 Bentley Street, Waterford, CA 95386.**

1. Student's Name: _____ Grade: _____ ES: _____

2. Parent's Name: _____

3. Address: _____

4. Daytime Phone: _____

5. To whom did you last present this complaint? _____

6. If you will be represented by another person in pursuing your complaint, please identify the person representing you.

Name: _____ Telephone Number: _____

Address: _____

7. Attach a copy of your original Level Two complaint.

8. Attach copies of the Level One and Level Two decisions.

Student/Parent Signature: _____ Date: _____

Received by: _____ Date: _____

Please provide the student/parent a copy of this report at filing.

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Parent Complaint Form**Re CWCS Employee**

Any parent who wished to file a complaint regarding a CW employee complete this form in its entirety, and turn the completed form into the Human Resources Department within 15 days of the event(s) causing the complaint. All complaints will be processed pursuant to school policies. Please note all Education Specialist complaints go to the ES Advisor.

Parent Name: _____ Student Name: _____

Initial Date of the event or series of events causing the complaint: _____

State the facts of your complaint, including the individual harm alleged, as well as the person(s) involved in the complaint. (List in detail):

State what school policy, or law, State, or Federal, you allege has been violated:

Will you be represented in this claim? _____

If yes, please identify the name of the individual or organization: _____

Name: _____ Phone: _____

Address: _____

Signature of Parent: _____ Date: _____

Number of additional pages attached: ____

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Charter School Complaint Notice**California Education Code Requirements**

California Education Code (EC) Section 47605(d)(4) (https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=47605&lawCode=EDC) states the following:

- A charter school shall not discourage a pupil from enrolling or seeking to enroll in a charter school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the following characteristics:
 - Academically low-achieving
 - Economically disadvantaged (determined by eligibility for any free or reduced price meal program)
 - English learner
 - Ethnicity
 - Foster youth
 - Homeless
 - Nationality
 - Neglected or delinquent
 - Race
 - Sexual orientation
 - Pupils with disabilities
- A charter school shall not request a pupil's records or require the parent, guardian, or pupil to submit the pupil's records to the charter school before enrollment.
- A charter school shall not encourage a pupil currently attending the charter school to ~~disenroll~~ from the charter school or transfer to another school for any reason (except for suspension or expulsion).
- This notice shall be posted on a charter school's Internet website and a charter school will provide copies of this notice (1) when a parent, guardian, or pupil inquires about enrollment; (2) before conducting an enrollment lottery, and (3) before disenrollment of ~~a pupil~~.

Complaint Procedures

In order to submit a complaint, complete the Charter School Complaint Form and submit the form to the charter school authorizer, electronically or in hard copy, to the following location:

Modesto City Schools
 426 Locust Street
 Modesto, CA 95351
 Perez.lu@monet.k12.ca.us
 (209) 574-1615

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Charter School Complaint Form

Name: _____ Email Address: _____

Mailing Address: _____

Date of Problem: _____ Phone Number: _____

Charter School (include address): _____

Connecting Waters Charter School, Central Valley
12423 Shelby Street
Waterford, CA 95388

California *Education Code (EC)* Section 47605(d)(4) allows a parent or guardian to submit a complaint to the charter school authorizer when a charter school discourages a pupil's enrollment, requires records before enrollment, or encourages a pupil to ~~disenroll~~. Please identify the basis for this complaint below, with specific facts, which support your complaint.

Basis of complaint (check all that apply):

- ☐ Pupil was discouraged from enrolling or seeking to enroll in the charter school.
- ☐ Records were requested to be submitted to the charter school before enrollment.
- ☐ Pupil was encouraged to ~~disenroll~~ from the charter school or transfer to another school.

Please provide further details:

Please file this complaint with the authorizer of the charter school listed on the preceding page electronically or in hard copy.

Uniform Complaint Procedures Policy Board approved 6/16/2017

This document contains rules and instructions about the filing, investigation and resolution of

a Uniform Complaint Procedures (“UCP”) complaint regarding an alleged violation by Connecting Waters Charter Schools (“CWCS”) (collectively “the Charter Schools”) of federal or state laws or regulations governing educational programs, including allegations of unlawful discrimination, harassment, intimidation, bullying and non- compliance with laws relating to pupil fees and our Local Control and Accountability Plan (“LCAP”).

This document presents information about how we process UCP complaints concerning particular programs or activities in which we receive state or federal funding. A UCP complaint is a written and signed statement by a complainant alleging a violation of federal or state laws or regulations, which may include an:

- Allegation of unlawful discrimination, harassment, intimidation, bullying,
- Charging pupil fees for participation in an educational activity,
- Non- compliance with the requirements of our LCAP, or
- Non-compliance with the rights of lactating pupils on campus.

A complainant is any individual, including a person's duly authorized representative or an interested third party, public agency, or organization who files a written complaint alleging violation of federal or state laws or regulations, including allegations of unlawful discrimination, harassment, intimidation, bullying and non-compliance with laws relating to pupil fees or non- compliance with the requirements of our LCAP. If the complainant is unable to put the complaint in writing, due to a disability or illiteracy, we shall assist the complainant in the filing of the complaint.

Programs and activities that are implemented by our district and subject to the UCP in which we receive state or federal funding are:

Adult Education Programs; After School Education and Safety Programs; Agricultural Vocational Education; American Indian Education Centers and Early Child Education Program Assessments; California Peer Assistance and Review Programs for Teachers; Career Technical and Technical Education and Career Technical and Technical Training Programs; Child Care and Development Programs; Child Nutrition Programs; Compensatory Education; Consolidated Categorical Aid Programs; Economic Impact Aid; Education of Pupils in Foster Care and Pupils who are Homeless; Every Student Succeeds Act / No Child Left Behind Act; Limited English proficiency; Local Control Accountability Plans (including Charter Schools as described in *EC* §§ 47606.5 and 47607.3); Migrant Education; Physical Education Instructional Minutes; Pupil Fees; Reasonable Accommodations to a Lactating Pupil; Regional Occupational Centers and Programs; School Safety Plans; State Preschool, Bilingual Education; Special Education; and Tobacco - Use Prevention Education.

We will investigate all allegations of unlawful discrimination, harassment, intimidation or bullying against any protected group as identified in Education Code section 200 and 220 and Government Code section 11135, including any actual or perceived characteristics as set forth in Penal Code section 422.55 or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any program or activity conducted by the agency, which is funded directly by, or that receives or benefits from any state financial assistance.

A “pupil fee” is a fee, deposit, or other charge imposed on pupils, or a pupil's parents or guardians, in violation of state codes and constitutional provisions which require educational activities to be provided free of charge to all pupils without regard to their families' ability or willingness to pay fees or request special waivers. “Educational activities” are those offered by a school, school district, charter school, or county office of education that constitute a fundamental part of education, including, but not limited to, curricular and extracurricular activities.

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A pupil fee includes, but is not limited to, all of the following:

- A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.
- A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
- A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

A pupil fees complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with laws relating to pupil fees. If the Charter Schools find merit in a pupil fees complaint the Charter Schools shall provide a remedy to all affected pupils, parents, and guardians that, where applicable, includes reasonable efforts by the Charter Schools to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board. Nothing in this section shall be interpreted to prohibit solicitation of voluntary donations of funds or property, voluntary participation in fundraising activities, or school districts, school, and other entities from providing pupils prizes or other recognition for voluntarily participating in fundraising activities.

The LCAP is an important component of the LCFF, the revised school finance system that overhauled how California funds its K-12 schools. Under the LCFF we are required to prepare an LCAP, which describes how we intend to meet annual goals for our pupils, with specific activities to address state and local priorities identified pursuant to Education Code Section 52060(d).

The Responsibilities of the Charter Schools

We have the primary responsibility to insure compliance with applicable state and federal laws and regulations. We shall investigate complaints alleging failure to comply with applicable state and federal laws and regulations including, but not limited to, allegations of discrimination, harassment, intimidation, bullying or noncompliance with laws relating to all programs and activities implemented by the district that are subject to the UCP.

Notifications

We shall ensure annual dissemination of the written notice of our complaint procedures to students, employees, parents or guardians of its students, advisory committees' member, appropriate private school officials or representatives, and other interested parties that includes information regarding unlawful pupil fees and LCAP requirements.

Our UCP Annual Notice shall be in English and in the primary language, pursuant to section 48985 of the Education Code, or mode of communication of the recipient of the notice. The Executive Director or designee shall make available copies of the Charter Schools' uniform complaint procedures free of charge

The annual notice shall include the following:

A statement that the Charter Schools are primarily responsible for compliance with federal and state laws and regulations.

A statement that a pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.

A statement identifying the responsible staff member, position, or unit designated to receive complaints.

A statement that the complainant has a right to appeal the Charter Schools' decision to the CDE by filing a written appeal within 15 days of receiving the Charter Schools' decision.

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A statement advising the complainant of any civil law remedies that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable, and of the appeal pursuant to Education Code § 262.3.

A statement that copies of the local educational agency complaint procedures shall be available free of charge.

Our UCP Annual Notice shall also include information regarding the requirements of Education Code sections 49010 through 49013 relating to pupil fees and information regarding the requirements of Education Code section 52075 relating to the LCAP.

Compliance Officer

The following person is responsible for receiving and investigating complaints and ensuring the Charter Schools' compliance:

Name or title: Sherri Nelson, Executive Director
Address: 12420 Bentley Street, Waterford, CA 95386
Phone: 800.808.9895x6
E-mail address: snelson@cwcharter.org

The Executive Director or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Designated employees may have access to legal counsel as determined by the Executive Director or designee. Should a complaint be filed against the Executive Director, the compliance officer for that case shall be the President of the Charter School Board of Directors.

Procedures

The following procedures shall be used to address all complaints which allege that the Charter Schools have violated federal or state laws or regulations governing educational programs.

Compliance officers shall maintain a record of each complaint and subsequent related actions.

All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

- Step 1: Filing of Complaint

Any individual, public agency or organization may file a written complaint of alleged noncompliance by the Charter Schools.

An unlawful discrimination, harassment, intimidation and bullying complaint shall be filed no later than six (6) months from the date the alleged discrimination, harassment, intimidation or bullying occurred, or six (6) months from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying.

The time for filing a discrimination, harassment, intimidation or bullying complaint may be extended in writing by our Executive Director or designee, upon written request by the complainant setting forth the reasons for the extension. The period for filing a discrimination, harassment, intimidation or bullying complaint may be extended by our superintendent or his or her designee for good cause for a period not to exceed 90 calendar days following the expiration of the six (6) month time period. Our Executive Director shall respond immediately upon a receipt of a request for extension.

The complaint shall be filed by one who alleges that he or she has personally suffered unlawful discrimination, harassment, intimidation, and bullying or by one who believes an individual or any specific class of individuals has been subjected to discrimination, harassment, intimidation, and bullying prohibited by this part.

Pupil fee complaints shall be filed not later than one (1) year from the date the alleged violation occurred.

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The Charter Schools prohibit any form of retaliation against any complainant in the complaint process, including but not limited to a complainant's filing of a complaint or the reporting of instances of unlawful discrimination, harassment, intimidation or bullying. Such participation shall not in any way affect the status, grades or work assignments of the complainant.

The Charter Schools acknowledge and respect every individual's rights to privacy. Unlawful discrimination, harassment, intimidation or bullying complaints shall be investigated in a manner that protects (to the greatest extent reasonably possible) the confidentiality of the parties and the integrity of the process. The Charter Schools cannot guarantee anonymity of the complainant. This includes keeping the identity of the complainant confidential. However, the Charter Schools will attempt to do so as appropriate. The Charter Schools may find it necessary to disclose information regarding the complaint/complainant to the extent necessary to carry out the investigation or proceedings, as determined by the Executive Director or designee on a case-by-case basis.

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and date stamp.

- Step 2: Mediation

Within three (3) days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make arrangements for this process.

Before initiating the mediation of an unlawful discrimination, harassment, intimidation or bullying complaint, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the Charter Schools' timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

- Step 3: Investigation of Complaint

The compliance officer is encouraged to hold an investigative meeting within five (5) days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally.

The investigation shall provide an opportunity for the complainant, or the complainant's representative, or both, to present evidence or information.

Refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegations.

Refusal by the Charter Schools to provide the investigator with access to records and/or other information related to the allegation in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in a finding based on evidence collected that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

- Step 4: Response

A UCP complaint will be investigated and a written report (also known as the Decision) issued to the complainant within sixty (60) days from the date of the receipt of the complaint, unless the complainant agrees in writing to an extension of time.

- Step 5: Final Written Decision

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We shall issue a written Decision based on the evidence and will send a copy to the complainant. The Charter Schools' decision shall be written in English and in the language of the complainant whenever feasible or as required by law. The decision shall include:

- The findings of fact based on the evidence gathered,
- Conclusions of law,
- Disposition of the complaint,
- Rationale for such disposition,
- Corrective actions, if any are warranted,

notice of the complainant's right to appeal our Decision to the CDE within fifteen (15) days of the Decision and the procedures for initiating an appeal.

For unlawful discrimination, harassment, intimidation or bullying complaints arising under state law, notice that the complainant must wait until sixty (60) days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies.

For unlawful discrimination, harassment, intimidation or bullying complaints arising under federal law such complaint may be made at any time to the U.S. Department of Education, Office for Civil Rights.

If an employee is disciplined as a result of the complaint, the decision shall simply state that effective action was taken and that the employee was informed of the Charter Schools' expectations. The report shall not give any further information as to the nature of the disciplinary action.

Appeals to the California Department of Education

If dissatisfied with the Charter Schools' decision, the complainant may appeal in writing to the CDE within fifteen (15) days of receiving the Charter Schools' decision. When appealing to the CDE, the complainant must specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the Charter Schools' decision.

Upon notification by the CDE that the complainant has appealed the Charter Schools' decision, the Executive Director or designee shall forward the following documents to the CDE:

- A copy of the original complaint.
- A copy of the decision.
- A summary of the nature and extent of the investigation conducted by the Charter Schools, if not covered by the decision.
- A copy of the investigation file, including but not limited to all notes, interviews, and documents submitted by all parties and gathered by the investigator.
- A report of any action taken to resolve the complaint.
- A copy of the Charter Schools' complaint procedures.
- Other relevant information requested by the CDE.

The CDE may directly intervene in the complaint without waiting for action by the Charter Schools when one of the conditions listed in Title 5, California Code of Regulations, Section 4650 exists, including cases in which the Charter Schools have not taken action within sixty (60) days of the date the complaint was filed with the Charter Schools.

Civil Law Remedies

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A complainant may pursue available civil law remedies outside of the Charter Schools' complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders. For unlawful discrimination, harassment, intimidation or bullying complaints arising under state law, however, a complainant must wait until sixty (60) days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if the Charter Schools have appropriately, and in a timely manner, apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622.

Building Program Progress



Our new facility should be ready to move into for the start of the next school year. Buildings A, B, & C are nearly totally renovated. Building D has the foundation poured and is currently being framed.

SUMMARY

We have had a very successful 2019-2020 school year thus far. We have a strong academic program and we are strong financially. We have a highly qualified and efficiently staffed school taking into account both credentialed and classified staff members. We are looking forward to entering our third year with great anticipation of even greater success. We thank the MCS board members and staff for their continued collaboration, support and providing options in education for students to succeed.