

**Discovery Charter School
1100 Camino Biscay
Chula Vista, CA 91910**

Charter Renewal Petition
For the term
July 1, 2021 – June 30, 2028



Presented to the Chula Vista Elementary School District Board of Education on
February 18, 2021

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INTRODUCTION

PURPOSE OF THIS CHARTER RENEWAL PETITION:

This is a petition to renew the charter (the “Charter”) of Discovery Charter School (“DCS” or the “Charter School”), which has been authorized by the Board of Education of the Chula Vista Elementary School District (“CVESD” or the “District”) for twenty-six years. The term of the Charter shall begin on July 1, 2021 and expire on June 30, 2028.

This Charter may be amended by the Discovery Charter School Board of Directors, with the approval of the District’s Board of Education. If required, a copy of any amendment to the Charter will be forwarded to the California Department of Education.

DESCRIPTION OF THE CHARTER SCHOOL:

Discovery Charter School opened as a traditional public school of the District in 1993. During this first year, a contingent of parents, staff, and community supporters approached the CVESD Board of Education with the idea of operating an innovative program at that school site as a charter school. In July 1994, Discovery Charter School opened its doors as a conversion charter school authorized by the District. DCS, though fiscally independent, maintains a very collaborative and cooperative partnership with the District, its chartering authority.

DCS is proud of its designation in June 2020 as a high performing charter school by the California Department of Education (“CDE”), as further addressed in the section that follows. Notably, on the California School Dashboard (“Dashboard”) for 2017, 2018, and 2019, DCS’ performance on the academic indicators for English Language Arts and math has been within the highest two performance levels - “green” and “blue.”

Located in the Rancho Del Rey neighborhood of Chula Vista, California, DCS serves a culturally diverse population with six languages spoken among its student population, including by its English Learner (“EL”) populations. DCS is a Targeted Assistance, Title I School with 33.7% of students eligible to receive free or reduced priced meals. Current enrollment is approximately 874 students, serving Kindergarten to 8th grade. The District operates a Special Education Pre-Kindergarten class on DCS’ campus. As of the 2019-20 school year, 15.8% of our student population was comprised of ELs and 8% of our students are students with disabilities. As of the 2019-20 school year, DCS’ population was comprised of the following racial/ethnic groups: Asian/Pacific Islanders: 2%, Filipino 11.8%, African American 3.5%, Caucasian 12.7%, Latino 64.7%, and Two or More Races 5.1%.

Discovery Charter School Over the Years

1. At Discovery Charter School, we have a long and proud history of being at the forefront of innovation in service to children and their education.
2. For example, the State of California's first charter school opened in the fall of the 1993-1994 school year. By the end of that first year in June 1994, Discovery Charter School became California's 54th charter school, the first charter school in the Chula Vista Elementary School District. And now, 27 years later, there are 1,309 charter schools in California.
3. One of the reasons Discovery Charter School became a charter school 27 years ago, was to establish a program to teach English and Spanish under a two-way language acquisition model. Over the years we have had different iterations of this program, which has ultimately transformed into our current, successful 50/50 Dual Immersion program.
4. In August of 2004, Discovery Charter School became the first school in CVESD to have a wireless internet connection schoolwide. Over the years, our commitment to deploying technology in the classroom helped lay the foundation for our STEM program – science, technology, engineering, and math – which evolved into a STEAM program – adding “art” – and is a core component of our instructional program.
5. Discovery created its own online report card and data management system in 2004.
6. Since 2013, Discovery Charter School teachers have had their own union.
7. Putting children first keeps us always looking on the horizon for newly emerging best practices and innovations for giving all our children the best educational experience and to help them reach their fullest potential. If a practice is deemed excellent for students among the educational community, our teachers have been among the first to implement it, including, for example:
 - a. DCS was the second school in the State of California to fully implement class size reduction.
 - b. One of the District instructional models, Guided Language Acquisition Design (“GLAD”), was first brought into the classroom by two Discovery teachers.
 - c. DCS is in its tenth year of teaching the Common Core State Standards (“CCSS”). Recognizing it as a best practice, our teachers started early with rigorous professional development, collaboration, and a determination to implement. This contributed, in part, to our achieving the California Distinguished School Award in 2013.
 - d. DCS was the first school in CVESD to start implementing the Next Generation Science Standards (“NGSS”) the week the standards were published in July 2013.
 - e. DCS started a middle school program in 2010 with one seventh grade class.

Currently, our middle school program serves 100 students in seventh and eighth grades and promotes approximately 50 students each year to high school.

The Four Pillars of Discovery Charter School

DCS has a rich history of providing a variety of opportunities for students to explore their individual strengths and interests for academic and personal growth. These opportunities have grown and evolved through the years and fall under four pillars: innovation, cultural proficiency, access to academic excellence, and building relationships.

Innovation: STEAM engages students in integrated learning as they explore the world around them, create innovative solutions to problems, and communicate their results while learning science, technology, engineering, arts, and math. It is the integration of core content with the arts inspiring all students to think deeply, develop creative solutions, and aspire to a build a greater future for themselves and their communities.

Cultural Proficiency: DCS aspires to promote an understanding and appreciation for the value of cultural awareness, empathy, racial diversity, and gender equality. All students have opportunities to learn about different countries and cultures.

Access to Academic Excellence: *DCS focuses on visible learning by ALL learners by promoting engagement, understanding, and independence. Students know what they are learning, why it is relevant to them, and how they know they have learned it. DCS builds self-efficacy in students by intentionally planning units of study and instructional routines focused on learning intentions, what students are expected to learn, success criteria, and how students assess their understanding. Students are guided through surface, deep, and transfer lessons so they will develop skills and concepts across content areas and become life-long learners. DCS strives to innovate and lead the way in high impact language strategies. Through high impact language development strategies, students are challenged to develop accurate, precise, and meaningful interactions while building upon content knowledge in listening, speaking, reading, and writing.*

Building Relationships: DCS provides students opportunities to build relationships through daily social emotional learning (SEL) in and outside of the classroom. DCS focuses on five core values: caring, honesty, perseverance, respect, and responsibility, and five common courtesies: *please, thank you, good morning/good afternoon, I apologize for, and excuse me.* SEL happens in both English and Spanish. Clubs, competitions, intermural sports, and community partnerships allow opportunities to build relationships outside the classroom. All DCS staff is committed to creating these opportunities to build relationships.

The Charter School affirms and declares as follows:

- The Charter School declares that it shall be deemed the exclusive public school employer of the employees of Discovery Charter School for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(c)(6)]

- The Charter School shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(e)(1)]
- The Charter School shall not charge tuition. [Ref. Education Code Section 47605(e)(1)]
- The Charter School shall admit all students who wish to attend the Charter School, unless the Charter School receives a greater number of applications than there are spaces for students, in which case it will hold a public random drawing to determine admission. Except as required by Education Code Section 47605(e)(2), admission to the Charter School shall not be determined according to the place of residence of the student or of that student's parent or legal guardian within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(e)(2)(B)(i)-(iv). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code Section 47605(e)(2)(C). [Ref. Education Code Section 47605(e)(2)(A)-(C)]
- The Charter School shall not discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(e)(1)]
- If a pupil is expelled or leaves the Charter School without graduating or completing the Charter School year for any reason, the Charter School shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a transcript of grades, and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the Charter School within 30 days if the Charter School demonstrates that the pupil had been enrolled in the Charter School. [Ref. Education Code Section 47605(e)(3)]

CHARTER RENEWAL CRITERIA

Pursuant to the amendments made to Education Code Section 47607, and the creation of Education Code Section 47607.2, by Assembly Bill 1505 (2019), at the time of charter renewal, a chartering authority shall consider the performance of the charter school on the state and local indicators reported the Dashboard.

In addition to the shift toward assessing Dashboard data, Assembly Bill 1505 also created a three-tiered system of evaluating charter schools' performance. **The Charter School fits into the “high performing” (second criteria) tier, as determined by the CDE.**

See <https://www.cde.ca.gov/sp/ch/documents/ab1505results2020.xlsx> at Row 1038.

Education Code Section 47607(c)(2)(B) articulates the renewal standard for the high performing tier as follows:

*[I]f the two consecutive years immediately preceding the renewal decision include the 2019–20 school year, **the chartering authority shall not deny renewal for a charter school if either of the following apply for two of the three years immediately preceding the renewal decision:***

- (i) The charter school has received the two highest performance levels schoolwide on all the state indicators included in the [Dashboard] for which it receives performance levels.*
- (ii) For all measurements of academic performance, the charter school has received performance levels schoolwide that are the same or higher than the state average and, for a majority of subgroups performing statewide below the state average in each respective year, received performance levels that are higher than the state average.*

(emphasis added.) “Measurements of academic performance” are defined in statute as “statewide assessments in the California Assessment of Student Performance and Progress system [(“CAASPP”)], or any successor system, the English Language Proficiency Assessments for California [(“ELPAC”)], or any successor system, and the college and career readiness indicator.” (Education Code Section 47607(c)(3).) Consistent with the CDE’s determination, and as indicated below, DCS qualifies as a high performing charter school eligible for renewal under Section 47607(c)(2)(B)(ii).

A. DASHBOARD PERFORMANCE - SCHOOLWIDE

The following table displays the Charter School’s measurements of academic performance on the Dashboard (state indicators) and, for comparison purposes, the State’s, for the 2017-18 and 2018-19 school years.¹ The numbers in parentheses reflect numerical performance on CAASPP ELA and CAASPP Math, as measured by the average “distance from standard” (“DFS”) on those

¹ Due to the COVID-19 pandemic, CAASPP testing was not administered during the 2019-20 school year, and the State has thus also not published a 2020 Dashboard displaying measurements of academic performance in the 2019-20 school year.

assessments, i.e., how close or far students were, on average, to meeting the standards tested on CAASPP.

<u>Indicator</u>	2018 DCS	2018 State	2019 DCS	2019 State
English Language Arts	Blue (+56.9)	Orange (-6)	Blue (+60.7)	Green (-2.5)
Mathematics	Green (+29.8)	Orange (-36.4)	Blue (+37.4)	Orange (-33.5)
English Learner Progress	83.4% Well Developed and Moderately Developed	65.2% Well Developed and Moderately Developed	High (57.8% making progress)	Medium (48.3% making progress)

As indicated above, and consistent with the first part of Section 47607(c)(2)(B)(ii), “[f]or all measurements of academic performance, [DCS] has received performance levels schoolwide that are the same or higher than the state average,” as measured by both performance level (color) and DFS.

B. DASHBOARD PERFORMANCE - SUBGROUPS

The following table displays the Dashboard indicators on measurements of academic performance for the Charter School’s subgroups that are among those subgroups of the State that are “**performing statewide** below the state average in each respective year” (emphasis added), i.e., students with disabilities (“SWD”), EL students, Hispanic students, and socioeconomically disadvantaged students (“SED”). Again, the numbers in parentheses reflect numerical performance on CAASPP ELA and CAASPP Math, as measured by DFS on those assessments.

ELA

<u>Subgroup</u>	2018 DCS	2018 State	2019 DCS	2019 State
SWD	Yellow (-9.4)	Red (-95.5)	Orange (-34.1)	Orange (-88.1)
EL	Green (+28.4)	Yellow (-47.1)	Green (+25.1)	Yellow (-45.1)
Hispanic	Blue (+46.9)	Yellow (-31.3)	Blue (+52.9)	Yellow (-26.6)
SED	Blue (+33)	Yellow (-34.7)	Green (+38.3)	Yellow (-30.1)

Math

<u>Subgroup</u>	2018 DCS	2018 State	2019 DCS	2019 State
SWD	Yellow (-41.2)	Red (-125.3)	Orange (-61.7)	Orange (-119.4)
EL	Green (+9.1)	Orange (-69.9)	Green (+4.4)	Orange (-68.6)
Hispanic	Green (+20.4)	Orange (-65.8)	Green (+26.8)	Yellow (-62.2)
SED	Green (+6.1)	Orange (-67.4)	Green (+15)	Yellow (-63.7)

As indicated above, and consistent with the second part of Section 47607(c)(2)(B)(ii), “for a majority of subgroups performing statewide below the state average in each respective year, [the Charter School] received performance levels that are higher than the state average.” Specifically, as measured by DFS, the Charter School’s at-issue subgroups all outperformed the State; as measured by performance level (color), the Charter School likewise outperformed the State on 15 out of 16 instances, matching the State’s performance level on the remaining instance (2019 math indicator for SWD).

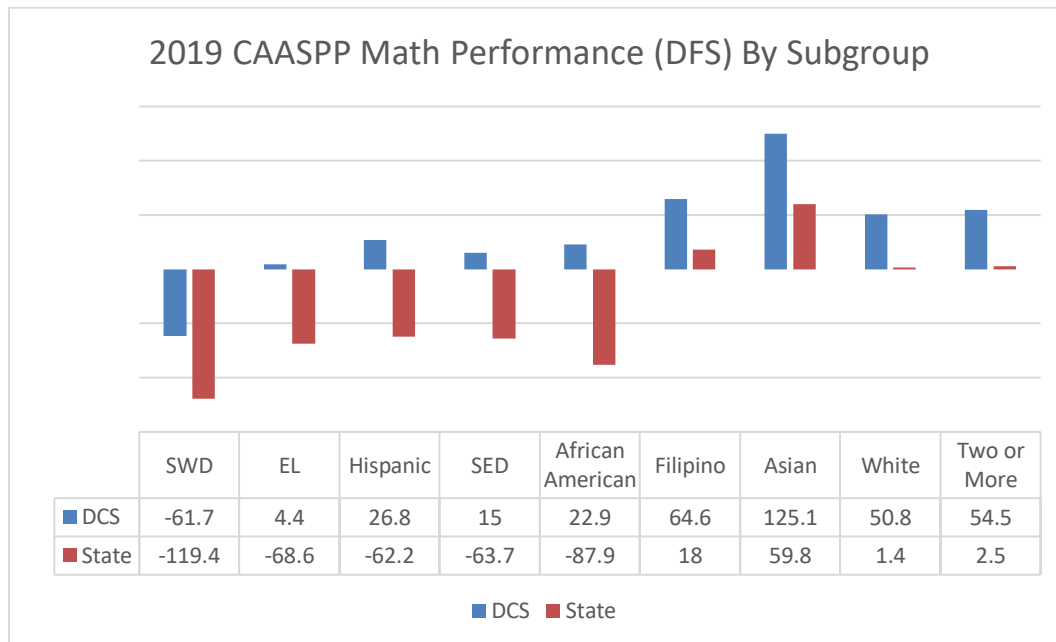
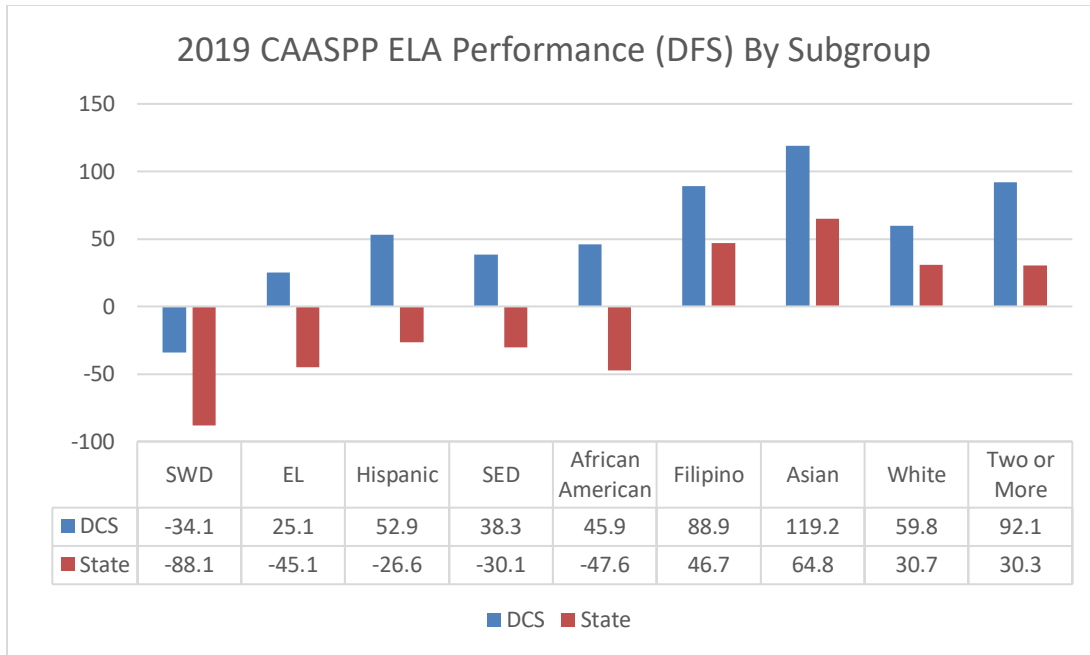
Consistent with the CDE’s determination, DCS is, accordingly, a high performing school entitled to renewal of its Charter under Education Code Section 47607(c).

DCS SHOULD BE GRANTED A SEVEN-YEAR CHARTER TERM

Section 47607(c)(2)(E) provides that “[t]he chartering authority that granted the charter [of a high performing charter school] may renew a charter for a period of between five and seven years.” **DCS submits that a seven-year charter term is appropriate here.**

First, DCS’ academic performance is not just marginally better than the State’s performance for only a “majority” of subgroups. In fact, all of DCS’ subgroups are *significantly* outperforming the State as indicated in the charts below.² Among its subgroups, DCS has largely eliminated the achievement gap that pervades at the state level between white students and historically disadvantaged subgroups. DCS’ academic achievement data shows that it is serving all students of all backgrounds very well, which is indicia of the kind of programmatic stability and high institutional competency that warrants a seven-year renewal.

² A greater number of subgroups are displayed in these charts, as compared with the charts above, as the renewal criteria evaluates only those select subgroups for which DCS had more than 30 students in a subgroup and where that subgroup was, on a statewide basis, underperforming relative to the statewide average.



Second, as a conversion charter school that has served the attendance area of the original District-operated elementary school for more than twenty-five years, and has done so with excellence through a collaborative relationship with the District, a seven-year charter term is also in the best interests of all of the Charter School's stakeholders as a measure of stability throughout this decade. Specifically, a seven-year charter term will allow the Charter School to spend the next seven years focusing on advancing its programs, without devoting resources to the administrative and substantive work attendant to the renewal process in the nearer future. Similarly, granting a seven-year charter term to the Charter School will relieve the District of that

same process in the nearer term, so that the District may continue to focus on its priorities. Of course, over the next seven years, the Charter School looks forward to continuing its cooperative relationship with the District, and will continue to stand accountable to the District for its service to students and its financial stewardship, as it has throughout its existence.

As demonstrated by the CDE's determination that DCS is a high performing charter school subject to presumptive renewal, and the above of evidence of stellar student performance, DCS meets the renewal criteria under Education Code Section 47607(c), and should be granted a renewal term of seven years.

ELEMENT A EDUCATIONAL PROGRAM

The educational program of the charter school, designed, among other things, to identify those whom the charter school is attempting to educate, what it means to be an “educated person” in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners. Education Code Section 47605(c)(5)(A)(i).

The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals. Education Code Section 47605(c)(5)(A)(ii).

OUR VISION

Discovery Charter School inspires passion for lifelong learning and prepares every student with the necessary knowledge and skills to be successful citizens.

OUR MISSION

Discovery Charter School exists to develop students who are independent, productive citizens in their educational careers and beyond. Students acquire academic knowledge and skills in communication, collaboration, critical thinking, creativity, citizenship, and character. This happens within a context of integrated literacy driven curriculum focused on STEAM and based on all state content standards, including CCSS, NGSS, the English Language Development (“ELD”) Standards, the History Social Science Framework, National Core Arts Standards, the Common Core en Español, and all other applicable content standards (hereinafter, collectively “State Standards”), and SEL. At DCS, students are at the heart of all decision making.

We are focused on instructional and academic excellence. Our teachers spend an extensive amount of time planning integrated lessons that have real life connections. Through purposeful standards-based instruction, students leave our school prepared to be successful lifelong learners.

EDUCATIONAL PROGRAM

Discovery Charter School is a kindergarten through 8th grade STEAM school with a dual language immersion (Spanish/English) program option. DCS is committed to preparing students for success by infusing the 5 C’s of 21st century learning skills. CCSS are foundational

to all lessons and are brought to life through rigorous and relevant instruction.

INSTRUCTIONAL MODEL

In order to achieve our vision and mission, the core instructional program at DCS, establishes a strong foundation in all domains of reading and mathematics, writing, listening, and speaking. This foundation provides students with the ability to apply these skills to a dynamic inquiry-based STEAM and literacy curriculum, along with opportunities to demonstrate learning through a variety of projects that support multiple learning modalities.

Technology is a key component of DCS' program and is infused in instruction throughout all grade levels. Research based strategies and practices are utilized to ensure that all students engage in activities that challenge them to attain high levels of learning. Within the classroom, a culture of creativity and innovation provide opportunities for students to explore their unique talents, skills, and academic interests. This integrated approach to lesson design supports dynamic learning for every student every day. Discovery now maintains a 1-to=1 student-to-device ratio from kindergarten through 8th grade.

CURRICULUM

The objective of an integrated STEAM curriculum is to engage, inspire, and empower a community of learners in thinking, collaborating, and innovating for the future. STEAM-based units of study are developed utilizing CCSS and NGSS. Reading, writing, listening, and speaking exercises during the language arts block incorporate STEAM-based literature across genres. Math instruction emphasizes a shift towards building conceptual development with multiple representations of real-world problems. Lessons are designed to engage students in tasks that activate critical thinking skills. In some grades, a departmentalized approach to instructional delivery and core curriculum is used. Students receive differentiated lessons and appropriate pacing to meet their individual needs.

Dual Immersion

DCS Dual Immersion Program follows a 50/50 model in K-6th grade. The dual language curriculum is coordinated within and across grade levels. There is a deliberate planning and coordination of curriculum, instruction, and assessment across the two languages of instruction. The program is standards-based and promotes attainment of the three core goals of dual language education: academic achievement, bilingualism and biliteracy, and sociocultural competence. DCS develops meaningful curriculum that leads to content learning and the acquisition and use of academic language in two languages. Units of study are developed to give students the opportunity to make connections across different subject areas and acquire proficiency in both languages. To promote the acquisition of academic achievement, as well as bilingualism and biliteracy, DCS seeks to offer a variety of curricular options for students in both languages such as, but not limited to, Achieve, IL Español, RTI, RAZ Kids, and Benchmark, among other bilingual curriculum. To help foster sociocultural competence, students are given opportunities to learn about the

cultures of different Spanish-speaking countries around the world in a variety of ways. This has been done through integration within units of study, or cultural events, such as the Multicultural Fair.

Discovery Charter School continually reflects on our curriculum and practices to ensure we are meeting students' needs. We modify and change as needs change. The following are the curriculum and research-based strategies that we use (as of the writing of this charter petition) to create an integrated program:

- Solid foundation of literacy and mathematics
- Units of study integrating STEAM disciplines
- 21st century skills emphasized in each class: the 5 C's
- Benchmark Advance and Adelante
- Eureka Math
- Open Up Math
- GLAD strategies used to support all students, especially ELs
- Student-led conferences as determined by the grade level
- Goal setting, reflection, and celebration
- Readers/Writers Workshop
- Physical education which follows the California Physical Education Framework
- Classes including, but not limited to, music, art, engineering, life/social skills, and computer skills
- Weekly Fine Arts classes

COMPUTERS AND TECHNOLOGY INTEGRATION

Discovery Charter School understands that becoming literate in technology is essential for a successful education, as well as greater opportunities in one's career. Discovery Charter School focuses curricular goals on technology literacy in the areas identified by the International Society for Technology in Education ("ISTE") standards for students: creativity and innovation; communication and collaboration; research and information fluency; critical thinking; problem solving, and decision making; digital citizenship; and technology operations and concepts. Students and teachers will develop technology literacy in the context of the instructional and learning experiences that occur within and outside of the classroom. Technology integration is achieved when technology is used for problem solving, critical thinking, collaboration, and development of literacy and math skills.

Supplemental Online Programs (as of 2021, subject to change as needed)

Grades	Program	Purpose
2nd-8th	Achieve 3000 (English & Spanish)	Leveled articles (primarily nonfiction) with comprehension and writing activities Differentiated for all students Systematic Provides real time data Additional tools that support instructional groupings Three benchmarks per year
3rd	Reading Plus	Leveled stories with comprehension and vocabulary activities
K-2nd	RAZKids (K-2)	Leveled texts, letter books, benchmark passages, and assessments Print, online, and audio support Comprehension assessments Offline resources for foundational skills instruction, CCSS and guided reading lessons
K-1 K-3	Imagine Learning Imagine Learning Español	<ul style="list-style-type: none"> • Covers all standards and all domains of reading • Differentiated for all students • Systematic Provides real time data
K-3	i-Ready Reading	Covers all standards and all domains of reading Differentiated for all students Systematic Provides real time data Additional tools that support instructional groupings Three diagnostic assessments per year
K-8	i-Ready Math	Covers all standards and all domains of math Differentiated for all students Systematic Provides real time data Additional tools that support instructional groupings Three diagnostic assessments per year

SUPPORT FOR ALL LEARNERS**RESPONSE TO INTERVENTION (“RtI”)**

It is imperative that DCS carries out instruction that benefits all students. Discovery’s multifaceted instructional program and curriculum have been designed to provide teaching

that is rigorous, relevant, robust, and accessible for all students. To safeguard every student's continued attainment of essential academic skills and growth, DCS devotes significant personnel and resources to its RtI plan. Student monitoring, utilizing intensive analysis of state, district, site, and alternative assessment data for every child, occurs when grade level teams share achievement and anecdotal data. In addition, the RtI team assesses each student at the beginning of every school year to identify potential gaps in foundational reading skills and conceptual math skills. The RtI team analyzes this data to develop a plan and recommend specific interventions. RtI services are provided in English and Spanish in 1st through 6th grade. Through student monitoring and the RtI process, the individual needs of students are quickly identified, efficiently addressed, and diligently monitored for progress. DCS is implementing a research-based RtI process that supports all learners which includes the use of the following research-based curriculum, associated assessments and screeners:

- SIPPS
- CVESD Reading Foundational Skills Assessment ("RFSA") – English and Spanish
- Benchmark Advance High Frequency Words – English and Spanish
- Developmental Reading Assessment ("DRA")
- Reading Plus
- Imagine Learning ("IL")
- IL Español
- i-Ready Reading
- Achieve 3000
- i-Ready Math

ENGLISH LEARNERS

Discovery Charter School has a diverse student population that is comprised of many ethnic and language groups. DCS currently provides ELD support services to students of six various language groups.

The Charter School will meet all applicable legal requirements for ELs, including long-term English Learners or English Learners at risk of becoming long-term English Learners, as they pertain to annual notification to parents, administration of the Home Language Survey and student identification, administration of the initial and summative English Language Proficiency Assessments for California ("ELPAC"), placement, program options, EL and core content instruction, teacher qualifications and training, reclassification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. The Charter School will implement policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents.

The needs of ELs are met through the supplemental support services of an English language assistant and multiple instructional support services. These include but are not limited to computer-assisted instructional programs, designated ELD and integrated ELD instruction,

explicit and direct instruction, whole and small group instruction with staff utilizing Specially Designed Academic Instruction in English (“SDAIE”), GLAD strategies and ELD support materials. Parents of ELs are encouraged to participate in the numerous activities, events and educational opportunities available to support ELs, such as the English Learner Advisory Committee (“ELAC”), District English Learner Advisory Committee (“DELAC”), DCS subcommittees, and Discovery Parent/Teacher/Child (“PTC”), a group similar to a Parent-Teacher Association. Every attempt is made to provide language translation services at meetings, conferences, and school events and activities to meet the needs of families whose primary language is not English.

SPECIAL EDUCATION

The Charter School shall comply with all applicable state and federal laws in serving students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act (“Section 504”), the Americans with Disabilities Act (“ADA”) and the Individuals with Disabilities Education Improvement Act (“IDEA”). Pursuant to the memorandum of understanding (“MOU”) between DCS and the District (dated March 16, 2004 and entitled “The Discovery Charter School Agreement”), CVESD currently provides special education funding, personnel and service delivery for students. DCS shall continue to be categorized as a public school of the District in accordance with Education Code Section 47641(b). However, in the interest of allowing DCS to best serve its special education students, DCS reserves the right to request that special education funds pass through to DCS to the extent necessary for DCS to directly hire, develop, support, and supervise its own special education teachers and staff and to relieve the District of that obligation. Accordingly, DCS reserves the right to propose modifications to the MOU as necessary to fully effect this contemplated change to the manner in which the District provides special education services to DCS’ students. Under this alternative arrangement, the District shall continue to provide all other special education-related services and supports, other than with respect to special education staffing at DCS’ schoolsite.

DCS shall discharge its obligations to special education students and to students who may be eligible for special education students or a Section 504 plan consistent with the MOU and applicable law. Students enrolled in the Resource Specialist Program (“RSP”) receive a standards-based academic program that is differentiated to meet each student’s identified learning needs. Students in the special education program are provided with the same opportunities as students in general education classes. Students in the RSP program attend field trips, receive awards, sing in the choir, play on sports teams, serve on the student council and participate in student activities, just as students in the general education program. The RSP teacher collaborates with the general education teacher and other Individualized Education Program (“IEP”) team members to ensure that IEP goals are met and that learning gaps are closed.

PARENT PARTNERSHIP

Achieving our vision and goal requires a strong partnership between DCS staff, parents, and the Charter School community. Parental involvement is vital to the success of this

partnership and to fulfilling a joint commitment. This requires that parents are encouraged to:

- Support the teaching of academics and social skills in the home.
- Have their children in school and on time every day.
- Support the DCS Discipline Plan.
- Participate and support a variety of activities that improve the school-to-home connection: Discover Discovery Night, Open House, PTC meetings, Fall Carnival, STEAM Celebration, Science Night and other community gatherings.
- Attend focused Parent Events: Gifted and Talented Education (GATE), special education, EL Reclassification Celebration Night.

ATTENDANCE/TARDIES

DCS places a high value on student attendance and punctuality. Students are expected to be in school every day unless they are ill or have a medical emergency. Learning to be in school and on time teaches students to develop lifelong habits that are required for employment and career advancement later in life. At DCS, excellent attendance is recognized weekly, monthly, quarterly, and yearly.

Parents are notified when their child has demonstrated a pattern of excessive absences or tardies and are reminded of their legal obligation to send their child to school. Parents are required to notify the attendance clerk when their child will be absent.

Excessive absences and/or tardies result in student truancy and a student may be referred to the School Attendance Review Team ("SART") process that can lead to the School Attendance Review Board ("SARB") process through the CVESD School Attendance Review Board for sanctions or legal action.

Independent study contracts are available for students who have given advance notice of an unexcused absence.

Charter School Annual Goals and Actions to Achieve State Priorities

Pursuant to Education Code section 47605(c)(5)(A)(ii) and 47605(c)(5)(B), a reasonably comprehensive description of the Charter School's annual goals, actions and measurable outcomes, both schoolwide and for each subgroup of pupils, in and aligned with the Eight State Priorities as described in Education Code section 52060(d), can be found in the Charters School's Local Control and Accountability Plan ("LCAP") as previously submitted to the District and published on the District's website.

ELEMENT B
MEASURABLE PUPIL OUTCOMES

The measurable pupil outcomes identified for use by the charter school “Pupil outcomes,” for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the charter school’s educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all pupil subgroups served by the charter school, as that term is defined in subdivision (a) of Section 52052. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school. Education Code Section 47605(c)(5)(B).

DCS believes a student who is fully prepared for 21st century learning must be immersed in curriculum that challenges them to see the world through a multifaceted dimension of learning.

The educational goals for DCS students continue to be aligned to the State Standards. Teachers work collaboratively to create innovative and creative units of study that incorporate STEAM. Ultimately, DCS produces students who utilize science and engineering practices that include asking essential questions, defining problems, developing and using models, planning and carrying out investigations, and analyzing and interpreting data. In addition, students will construct explanations and design solutions, engage in arguments from evidence, and communicate information effectively.

Pursuant to Education Code Sections 47605(c)(5)(A)(ii) and 47605(c)(5)(B), a reasonably comprehensive description of the Charter School’s annual goals, actions and measurable outcomes, both schoolwide and for each subgroup of pupils, in and aligned with the Eight State Priorities as described in Education Code Section 52060(d) and can be found in the Charter School’s LCAP on file with the District.

LCAP GOALS:

Goal 1: Ensure all student target groups attain proficiency in the current content standards (P2, P4, P7, and P8)

How Outcomes for LCAP Goal 1 will be measured at DCS:

All Students including Economically Disadvantaged Students

- 90% of students demonstrate evidence of growth and achievement across curriculum areas.
- 90% of students demonstrate evidence of growth and achievement toward proficiency on

ELA and Math on local measures (K-2).

- 90% of students show growth in demonstrating progress toward proficiency on CAASPP ELA and Math state standardized testing (3 – 8).

English Learners:

- 90% of students demonstrate growth in making annual progress toward English language proficiency each year as measured on the ELPAC;

Special Needs Students:

- 90% of students with IEP's will meet annual IEP goals in ELA and Math;
- 90% of students demonstrate evidence of growth and achievement across curriculum areas.

Students needing support to meet grade level standards:

- 100% of students will demonstrate growth in reading achievement measured by an increase in their Lexile level.
- 100% of students below grade level will demonstrate progress toward their grade level goal on a universal screener.

Students meeting or exceeding grade level standards:

- 100% of students will have access to in school and after school enrichment opportunities

Goal 2: Ensure access to rigorous and relevant learning tools, resources, and skills for all staff and students (P1, P2, and P7)

How Outcomes for LCAP Goal 2 will be measured at Discovery:

All Students:

- 100% of our staff will have access to professional development in the areas of culturally proficient and inclusive teaching practices and curriculum;
- 100% of our staff will have access to professional development in the areas of high impact language strategies and intentional planning based on qualitative and quantitative data analysis;

- Discovery Charter commits to updating and renewing all instructional programs and resources that serve and meet student learning outcomes;
- Discovery Charter commits to ongoing research and implementation of the latest research-based tools and resources;

Goal 3: Cultivate a positive school culture and system of supports for students' personal and academic growth (P4, P5, P6, P7, P8)

How Outcomes for LCAP Goal 3 will be measured at Discovery:

- 100% of our staff will have access to professional development in the areas of Restorative Practices and implement community circles in the classroom;
- 100% of students at Discovery have access to a K-8 support system and curriculum for their social emotional well-being;
- 100% of students participate in a physical education program;
- 100% of students will be enrolled in Visual and Performing classes.
- 90% of students surveyed will report feeling connected to their school;
- 95% of students surveyed will report feeling safe and supported at school;
- Maintain a minimum of 97.5% attendance.

Goal 4: Form strategic alliances with stakeholders and community partners to secure resources to support our target groups (P3)

How Outcomes for LCAP Goal 4 will be measured at Discovery:

- Discovery Charter School will prioritize family involvement by strengthening our outreach to our family partnerships through the following ways:
 - Parent Teacher Child Committee
 - School Site Council
 - Emergent Bilingual Advisory Committee
 - CVESD District Advisory Council/ English Learner Advisory Council
 - Discovery Charter Board Meetings
 - Family Teacher Conferences
 - Family Representation on Hiring Committees
 - School Safety Committee

- The administration at Discovery Charter School will monitor attendance at the aforementioned meetings with the goal of increasing family participation each year by 10%.
- Discovery Charter School will prioritize community involvement by strengthening our outreach to our community partnerships through the following ways:
 - Chula Vista Police School Resource Officer Program
 - Chula Vista Fire Department Fire Marshall
 - University of California San Diego
 - Living Coast Nature Center
 - Chula Vista Family Resource Center
 - San Diego Anti-Defamation League
 - South Bay YMCA

ELEMENT C

METHOD FOR MEASURING PUPIL PROGRESS

The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card. Education Code Section 47605(c)(5)(C).

Please refer to the Charter School's LCAP for a description of the assessments the Charter School shall utilize in its educational program, which are aligned to the Eight State Priorities and demonstrate multiple measures for each subject area. The Charter School affirms that its methods for measuring pupil outcomes for the Eight State Priorities, as described in its LCAP, shall be consistent with the way information is reported on a School Accountability Report Card as required by Education Code Section 47605(c)(5)(C).

PLAN FOR EVALUATING AND REPORTING PUPIL PERFORMANCE

In accordance with the provisions of the Education Code applicable to charter schools and the MOU, pupil performance data is submitted and/or reported annually to the District.

In order to have a more complete picture of a student's academic progress, DCS elects to monitor academic progress and mastery of skills based on the following beliefs about instruction and assessment. Different types of assessments will be utilized, including but not limited to summative, formative, performance-based, and diagnostic. Assessments focus on a student's progress toward proficiency on the grade level CCSS and NGSS. Assessments promote and support reflection and self-evaluation by students, teachers, and support staff. The standards and learning outcomes are communicated to and understood by students. Student assessment occurs regularly and frequently through observation and anecdotal records. Classroom teachers and support program specialists collaborate about student performance on a weekly basis. Achieve 3000, i-Ready Reading and Math, RFSA, DRA, Reading Plus, and IL and IL Español usage and performance reports guide conversations regarding student understanding and achievement and help teachers develop improved teaching strategies and adjust instruction, as needed. Grade level and vertical teams use data from ongoing pre- and post-assessments aligned with the State Standards to measure student progress and to design instruction to meet the individual needs of students at all stages of the learning spectrum. The assessments used at the Charter School to measure progress towards intended pupil outcomes include the following:

Standardized:

- CAASPP
- ELPAC
- California Alternate Assessments ("CAA")
- California Spanish Assessment ("CSA")

- California Science Test (“CAST”)

District Designated:

- Local Measures Reading Assessment (K-2nd grade)
- Local Measures Writing (K-2nd grade)
- Local Measures Math/i-Ready End of Year Diagnostic (K-6th grade)
- Achieve 3000 (2nd- 8th grade)
- Physical Education Test of Fitness (5th and 7th grade)

Site Designated:

- Systematic Instruction in Phoneme Awareness, Phonics, and Sight Words (“SIPPS”)
- Inventory
- RFSA – English & Spanish
- Benchmark Advance High Frequency Words – English & Spanish
- Eureka Math (Exit Tickets, Module Tests)
- i-Ready Reading and Math
- Reading Plus
- Developmental Reading Assessment
- Quarterly writing benchmarks
- Teacher developed tests and quizzes

Authentic Assessments:

- Performance tasks
- Projects
- Exhibitions
- Portfolios
- Student journals, reflection, and learning logs
- Student-led conferences

MINIMALLY REQUIRED PERFORMANCE LEVELS

DCS staff and parents expect high levels of performance in core subjects for students and their learning outcomes. The minimally accepted performance level in core instruction is meeting grade level standards. Those students not meeting grade level standards have extended learning opportunities that include: Response to Intervention (“Rtl”), small group instruction, tutoring, and additional support in language arts, mathematics, and/or ELD.

ELEMENT D

GOVERNANCE AND OPERATION

The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement. Education Code Section 47605(c)(5)(D).

The Charter School is a directly funded independent charter school and will be operated by its Board of Directors (“Board”) in accordance with its Bylaws, its Executive Committee, and its Schoolwide Subcommittees as summarized herein.

At Discovery Charter School we believe in being a community of learners. As a community of learners, we all share in the responsibility of developing and implementing programs that are child-centered and focused on the development of each student’s sense of self-worth. Powerful learning for all students occurs through a thinking, meaning-centered curriculum which results in skills, knowledge, attitudes, and beliefs that transfer to the student’s personal and professional life.

Section 1 – Overview of School Governance

DCS’ administrative and governance structure is one of shared decision-making and was created to reflect the Charter School’s mission, vision, and design. The structure focuses primarily on monitoring and supporting student achievement and academic progress, then budget approval, creation of school-wide focuses, generating relevant policies, and identification and implementation of best practices to support student achievement and strategic planning,

DCS shall collaborate extensively with the District in a District/Charter School partnership while operating as a separate governing entity in order to meet/exceed the student achievement goals incorporated in Elements A, B, and C.

Operations and personnel at DCS will be under the responsibility of the Administrative Team. Our Administrative Team and our Instructional Leadership Team (“ILT”) (which is defined below) will collaborate to implement best practices, develop professional development that is congruent to our school-wide focus for continuous improvement in student outcomes. Operational services such as payroll, site maintenance, and other negotiated services will be provided by CVESD under a service buyback agreement. The Administrative Team and representatives, as identified by the Discovery Charter Board, with the support of the designee(s) of CVESD, reserve the right to collaboratively negotiate identified services with third-party service providers as deemed necessary.

To ensure that student-centered decisions take ultimate precedence over all other matters, the governance structure of DCS is designed to assure an inclusive shared decision-making design where all stakeholder involved in serving students share leadership. It is expected that

stakeholders at Discovery Charter School embrace collaboration and cooperative decision-making with student achievement as the focus of everything we do.

Section 2 – Governance

Discovery Charter Board

The Board shall serve as the governing board. The primary functions of the Board shall include:

- Supports the mission and vision of DCS
- Maintains oversight of student learning outcomes
- Responsible for financial stewardship and student achievement of Discovery Charter School
- Supports Discovery Charter School on campus and in public
- Maintains compliance with agreements per their terms
- Approves the general policies of the Charter School, and measures and monitors their implementation.
- Approves and monitors the Charter School's annual budget and budget revisions
- Ensures compliance with applicable laws such as the Brown Act, Political Reform Act, and conflict of interest obligations
- Resolves staff grievances per the Grievance Procedures outlined in the Discovery Charter Teachers Union ("DCTU") contract
- Approves all contracts and expenses in excess of amounts predetermined in the budget and/or LCAP
- Approves and monitors management of school liabilities, insurance, health, safety, and risk-related matters
- Ensures that Discovery Charter School is fair and inclusive in its hiring and promotion policies for all Board, administration, and employee positions
- Serves as the appeal agent related to personnel matters and due process procedures, as applicable
- Contracts with an external independent auditor to produce an annual financial audit according to generally accepted accounting practices
- Acts as a fiscal agent. This includes but is not limited to the receipt of funds for the operation of the Charter School in accordance with applicable laws and the receipt of grants and donations consistent with the mission of the Charter School
- Engages in ongoing strategic planning
- Approves the schedule of Board meetings
- Reviews requests for out of state or overnight field trips
- Approves the annual independent fiscal audit
- Subject to the rights of the District and the Charter School under the MOU, which may be amended from time to time, collaborate with the District regarding the hiring and termination of the Principal, and supervise, and evaluate the Principal of the Charter School

The Board of Directors does not:

- involve itself in program implementation
- manage purchasing of routine, budgeted items
- make decisions to hire or terminate employees of the Charter School, which are duties that shall be vested in the Principal (however, the Board shall fulfill any required role in the termination process to the extent provided under any employment agreement or collective bargaining agreement, and the Board retains the right to direct the Principal to discipline/terminate employees consistent with its general governing powers)
- oversee staff beyond the Principal
- oversee the day-to-day operations of DCS

The Board shall conduct itself in accordance with its Bylaws. The Board shall consist of five members: two parent representatives (of currently enrolled students), two community members, and the District representative (in accordance with Education Code Section 47604(c) and the Bylaws).

The Board will meet regularly and in accordance with the Brown Act and Education Code Section 47604.1(c). For the avoidance of doubt, the Board is the sole “legislative body” of the Charter School for purposes of compliance with the Brown Act.

The Charter School is subject to and complies with the District’s Conflict of Interest Code, as well as the Political Reform Act, and Government Code Section 1090, *et seq.*, as set forth in Education Code Section 47604.1.

The Board may execute any powers delegated by law to it and shall discharge any duty imposed by law upon it and may delegate to an employee of the Charter School any of those duties except for budget approval or revision, approval of the fiscal audit, and the adoption of Board policies. The Board, however, retains ultimate responsibility over the performance of those powers or duties so delegated. Such delegation will:

- Be in writing;
- Specify the entity designated;
- Describe in specific terms the authority of the Board of Directors being delegated, any conditions on the delegated authority or its exercise and the beginning and ending dates of the delegation; and
- Require an affirmative vote of a majority of Board members.

The Board will attend an annual in-service for the purposes of training individual board members on their responsibilities with topics to include, at minimum, conflicts of interest and the Brown Act.

Section 3 – Administration

Principal

Using the California Professional Standards for Educational Leaders (“CPSELs”), the CVESD Dashboard, or a similar instrument as a framework, the Principal is responsible for the instructional leadership, student achievement, personnel matters, the daily functioning/operations of the Charter School, student discipline, and community relations. The Principal shall also be responsible for the oversight and evaluation of certificated, classified, and the Charter School’s staff members. In coordination with the Business Manager, the Principal drafts a preliminary budget that aligns resources and allocates funds to support increased student achievement. The Principal will have the responsibility and authority to operate and manage the site and staff in such a manner as to comply with the charter agreement and maximize student achievement. Subject to the MOU which may be amended from time to time, CVESD shall hire and employ the Principal and will be the final evaluator for purposes of employment of the Principal.

Associate Principal, or other site administrators

The term Associate Principal can refer to the Associate Principal, or other site administrators. Using the CPSELs, the CVESD Dashboard, or a similar instrument as a framework, the Associate Principal shall support the Principal in the identification, evaluation, and/or implementation of standards, programs, and/or researched-based curriculum in the core subject areas. The Associate Principal reports to and is evaluated by the Principal. A primary function of the Associate Principal is to observe teachers during instruction and provide timely feedback. The Associate Principal will also assist the Principal with discipline issues, community relations, and other assigned duties as directed by the Principal. The Associate Principal shall be hired by the Principal as an employee of the Charter School.

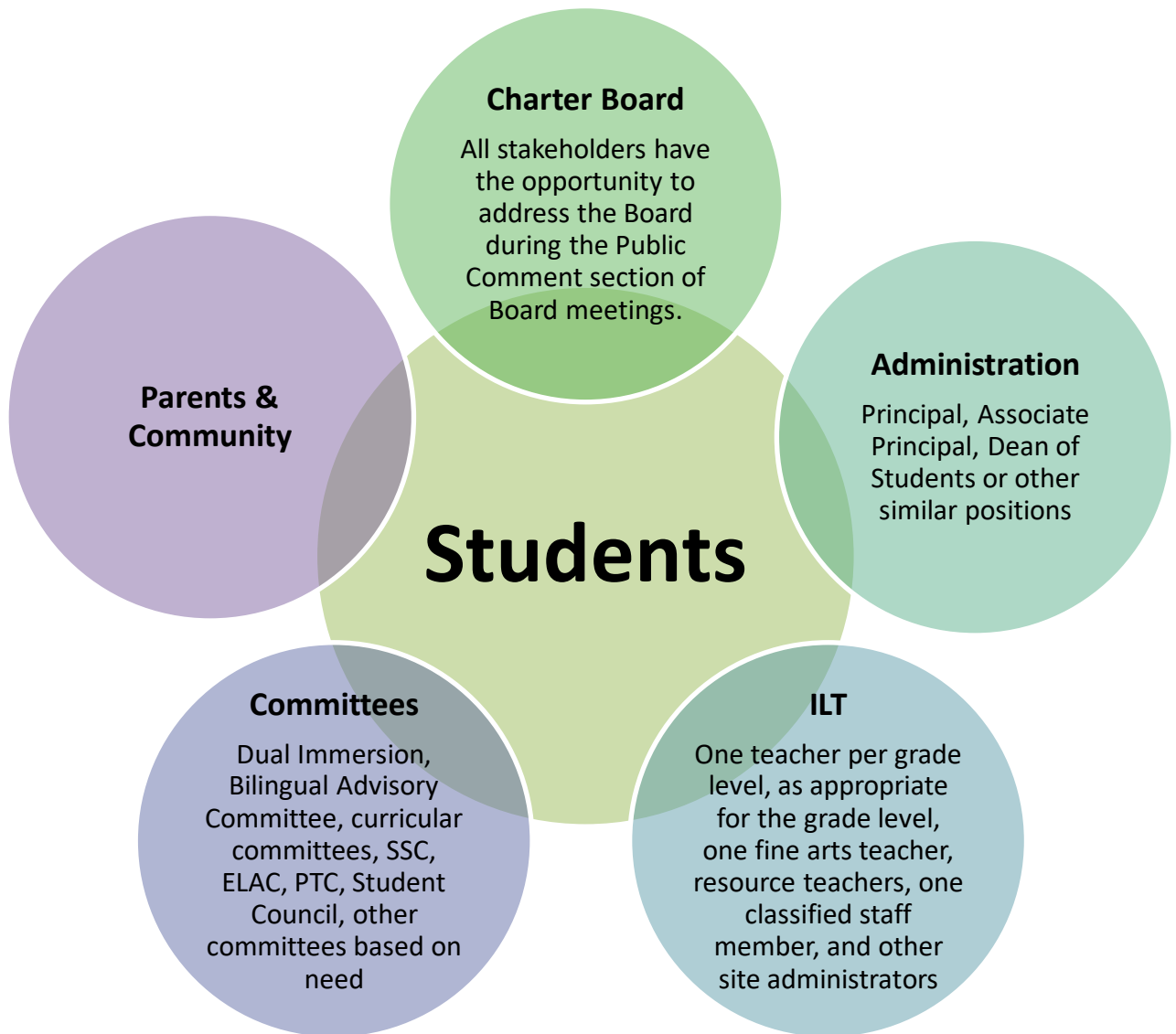
Section 4 – Instructional Leadership Team

The ILT shall be composed of at least one teacher per grade level, one fine arts teacher, resource teachers, one instructional classified staff member, and other members of the Administrative Team. The ILT has representation from all teaching programs: English Only, Dual Immersion, departmentalized, and middle school. The ILT will work with the Administrative Team in identifying needs, developing, and implementing action plans that support high-impact issues including assessment, curriculum, classroom climate and culture, and instruction. It will develop and refine recommendations to be considered by the Charter School as a whole in accordance with supporting and maintaining the vision and mission of the Charter School. The ILT meets regularly with their teams to share and discuss the instructional direction, seek input, and model new learning and strategies.

Section 5 – Committees

Decisions are made collaboratively using consensus and levels of agreement. To ensure that all stakeholders have a voice, committees may be comprised of parents, community members, classified and certificated staff, and when appropriate, students. Committees give opportunities for leadership, responsibility, and participation to support the mission and vision of the Charter School. Each committee establishes a focus and estimated timeline for their respective projects. Each committee has the option to set up task forces to address specific issues. Committees report to the Administrative Team and give recommendations that support the vision and mission of DCS. Ongoing committees based on the needs of the Charter School may include but are not limited to School Site Council (“SSC”), Emergent Bilingual Advisory Committee (“EBAC”), Safety Committee, Multi-Tiered System of Support (“MTSS”) Committee, Special Education Committee, and the following vertical articulation committees: Dual Immersion, ELA, and math. All staff have the ability to suggest to the Principal that a new committee be formed as the need arises.

Discovery Charter School Governance Structure



PARENTAL INVOLVEMENT IN SCHOOL GOVERNANCE

DCS encourages parental involvement in governance by requiring two parent participants on the Board, as well as through parent participation on committees such as PTC, SSC, ELAC, and EBAC. Parents are also strongly encouraged to volunteer at the Charter School. No child will be excluded from the Charter School or school activities due to the failure of their parent or legal guardian to volunteer at the Charter School.

ELEMENT E EMPLOYEE QUALIFICATIONS

The qualification to be met by individuals to be employed by the charter school. Education Code Section 47605(c)(5)(E).

EMPLOYEE QUALIFICATIONS

All individuals employed by Discovery Charter School must possess the key competencies, knowledge, skills, and abilities as identified in this Charter and the particular position descriptions for each role to effectively contribute to the social, civic, character, and academic development of each student. The employees of DCS are reflective of the diversity of the community.

Employees do not gain tenure as a Charter School employee; all employment is subject to the terms of individual employment agreements or collective bargaining agreements, as applicable.

DCS shall have the sole responsibility and authority to determine staffing levels, and to select, evaluate, assign and, discipline personnel consistent with federal and state laws, rules, and regulations (unless waived by appropriate authorities), and consistent with the MOU.

EMPLOYEE DEFINITION

Discovery Charter School employees fall under one of the below categories:

- **Management Employees:** Associate Principal and Dean of Students
- **Certificated Employees:** positions required to meet applicable state certification requirements.
- **Classified employees:** business manager, classroom instructional assistants, library media technician, computer technician, school secretary, office clerk, business clerk, health attendance clerk, custodians, and EL assistant.
- The Principal, RSP teachers, special education instructional assistant, school psychologist, Child Nutrition Services personnel, and Special Consideration Instructional Assistants (“SCIAs”) are District resources provided and employed by the District.

KEY QUALIFICATIONS

In addition to the competencies, knowledge, skills, and abilities listed in the employment postings for each respective position, below are required qualifications that each DCS employee must possess:

- willingness to embrace and commit to the vision and mission of DCS.
- evidence of strong organizational habits, interpersonal skills, and the ability to work well with others as a member of a team.
- willingness to take on responsibility and demonstrate initiative.
- commitment to advance the DCS' programs, policies, and initiatives.
- commitment to participate in DCS' school governance model.
- as to teachers and roles that support teachers:
 - knowledge of proven teaching strategies and methodologies.
 - knowledge of, or willingness to be trained in current methodologies including but not limited to GLAD, communication, collaboration, college and career readiness, critical thinking, creativity, and character.
 - commitment to school wide foci: literacy, science, technology, engineering, mathematics, the arts, social emotional learning, cultural proficiency, and dual language.
 - knowledge and ability to implement technology to enhance teaching and student learning.
 - commitment towards progress of grade level standards and student achievement.
 - commitment to promote parent involvement and to improve student attendance.
 - plan and deliver appropriate instruction for all students especially those identified as having a disability.

REQUIRED BY ALL CERTIFICATED STAFF (teachers only)

- Shall hold the Commission on Teacher Credentialing certificate, permit, or other document required for the teacher's certificated assignment.
- Bilingual in Spanish preferred

HIRING PROCESS

The selection and appointment process for DCS staff members shall be done through a collaborative process with the CVESD Human Resources Department. As per the MOU between DCS and CVESD, the District will perform all criminal background checks or screenings on all prospective employees in the same manner it would as to employees to be hired by the District (MOU, Article 10.15(f)).

The Principal of DCS reserves the right to hire, place, discipline, and dismiss of certificated and classified employees, subject to any applicable rights employees may possess under employment agreements or collective bargaining agreements. DCS will be responsible for creating a list of qualifications and responsibilities to be included in employment postings. After the initial application process at the District level, the interview committee and affected grade level representatives for teaching positions will conduct a paper screening of

the qualified candidates and conduct interviews with those selected candidates of the highest quality. A panel comprised of the Principal or their designee shall conduct follow-up reference checks prior to making the final selection. An interview committee comprised of grade level representatives, a classified employee, and a parent will serve in an advisory role for the final selection. The interview committee's additional processes to evaluate prospective employees include but are not limited to as applicable for the position: a review of a candidate's portfolio, demonstration lessons, and other evidence of good teaching practices as defined in the DCS Teacher Evaluation Process. In the event that no qualified candidate is selected by the interview committee, the position will be reposted and a more extensive search for qualified candidates will be conducted. A final approval for hire of a selected candidate will be made by the DCS Principal and submitted to CVESD Human Resources Department for clearance and processing.

Newly hired employees are introduced to the DCS Charter Board after they are hired by the Principal. Subject to the MOU, the District will have the authority, consistent with state law, in partnership with the Charter School, through a collaborative process involving staff and members of the DCS community, to select and employ the Principal and to hold them accountable for the success of the Charter School. The authority shall include, but not be limited to, the authority granted to the Superintendent pursuant to Education Code Section 44951. Accountability to the District for performance of the teachers at DCS is an essential element of the Charter School. The responsibility of the Principal is also critical to its success. After the receipt of a written request from DCS's Board to remove the Executive Principal in accordance with Section 44951, the Superintendent, in consultation with the District's Board of Education, may provide such notice if they determine it appropriate after the exercise of statutory discretion.

PROFESSIONAL DEVELOPMENT

The professional development of teaching staff is an integral and mandatory aspect of employment at DCS. There is an expectation that all teaching staff will become trained and knowledgeable in curriculum, strategies, technology integration, and best practices, and will implement their newly acquired skills, methodologies, and practices.

AGREEMENT

All employees of DCS are required to sign an annual employee contract, when and if they are asked to continue their employment with DCS for an additional year.

EMPLOYEE EVALUATION

Certificated and classified employees are evaluated based on observations and performance in specific job areas. Certificated classroom employees are evaluated based on the process outlined in their contract.

COMPENSATION

The salary model for DCS will be based on the CVESD-approved “step and class.” Teachers new to DCS will be given credit based on up to ten (10) years of experience as verified by the CVESD Human Resources Department. DCS will maintain a salary schedule that is competitive, negotiated with DCTU which shall be periodically re-evaluated and approved by the DCS Board of Directors.

EMPLOYMENT POLICY AND THE COMMON LAW

Discovery Charter School is an equal opportunity employer. It is the policy of DCS to prohibit discrimination and harassment of any type, and to afford equal employment opportunities to employees and applicants, without regard to characteristics protected by federal, state, and local law. DCS will conform to the spirit as well as the letter of all applicable employment laws and regulations. Employment with DCS is voluntary.

ELEMENT F
PROCEDURES TO ENSURE THE HEALTH AND SAFETY OF PUPILS AND STAFF

Procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following:

- (i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.
- (ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (J), inclusive, of paragraph (2) of subdivision (a) of Section 32282 and procedures for conducting tactical responses to criminal incidents.
- (iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.

Education Code Section 47605(c)(5)(F).

PROCEDURES TO ENSURE THE HEALTH AND SAFETY OF PUPILS AND STAFF

DCS will continue to collaborate with CVESD to access services and support needed to maintain the following: a safe and secure environment, as well as the structural integrity and operation of the physical facilities. DCS may pursue options to contract for services beyond the District over the course of the charter term. All District services are reviewed and updated annually as agreed upon in the MOU between CVESD and DCS.

The following is a summary of the health and safety policies of the Charter School:

Procedures for Background Checks

Employees and contractors of the Charter School will be required to submit to a criminal background check and to furnish a criminal record summary as required by Education Code Sections 44237 and 45125.1. Applicants for employment must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The Charter School shall not hire any person, in either a certificated or classified position, who has been convicted of a violent or serious felony except as otherwise provided by law, pursuant to Education Code Sections 44830.1 and 45122.1. The District is responsible for compliance with background check requirements per the terms of the MOU. The District shall monitor the fingerprinting and background clearance of the Principal. Volunteers who will volunteer outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

Role of Staff as Mandated Child Abuse Reporters

All employees will be mandated child abuse reporters and will follow all applicable reporting laws, the same policies and procedures used by the District. The Charter School shall provide mandated reporter training to all employees annually in accordance with Education Code Section 44691.

Tuberculosis Risk Assessment and Examination

Employees, and volunteers who have frequent or prolonged contact with students, will be assessed and examined (if necessary) for tuberculosis prior to commencing employment and working with students, and for employees at least once each four years thereafter, as required by Education Code Section 49406.

Immunizations

All enrolled students who receive classroom-based instruction will be required to provide records documenting immunizations as is required at public schools pursuant to Health and Safety Code Sections 120325-120375, and Title 17, California Code of Regulations Sections 6000-6075. All rising 7th grade students must be immunized with a pertussis (whooping cough) vaccine booster.

Medication in School

The Charter School will adhere to Education Code Section 49423 regarding administration of medication in school. The Charter School will adhere to Education Code Section 49414 regarding epinephrine auto-injectors and training for staff members.

Vision, Hearing, and Scoliosis

Students will be screened for vision, hearing and scoliosis. The Charter School will adhere to Education Code Section 49450 *et seq.* as applicable to the grade levels served by the Charter School.

Diabetes

The Charter School will provide an information sheet regarding type 2 diabetes to the parent or guardian of incoming 7th grade students, pursuant to Education Code Section 49452.7. The information sheet shall include, but not be limited to, all of the following:

1. A description of type 2 diabetes.
2. A description of the risk factors and warning signs associated with type 2 diabetes.
3. A recommendation that students displaying or possibly suffering from risk factors or warning signs associated with type 2 diabetes should be screened for type 2 diabetes.
4. A description of treatments and prevention methods of type 2 diabetes.

5. A description of the different types of diabetes screening tests available.

Suicide Prevention Policy

The Charter School shall maintain a policy on student suicide prevention in accordance with Education Code Section 215. The Charter School shall review, at minimum every fifth year, its policy on pupil suicide prevention and, if necessary, update its policy.

Prevention of Human Trafficking

The Charter School shall identify and implement the most appropriate methods of informing parents and guardians of students in grades 6 through 12 of human trafficking prevention resources.

Feminine Hygiene Products

To the extent that 40% or more of Charter School's population meets the federal pupil poverty threshold, the Charter School will stock at least 50% of its restrooms with feminine hygiene products, and shall not charge students for these products, pursuant to Education Code Section 35292.6.

Nutritionally Adequate Free or Reduced-Price Meal

Consistent with the MOU, the District shall provide each needy student enrolled at the Charter School, as defined in Education Code Section 49552, with one nutritionally adequate free or reduced-price meal, as defined in Education Code Section 49553(a), during each school day.

California Healthy Youth Act

The Charter School shall teach sexual health education and human immunodeficiency virus ("HIV") prevention education to students in grades 7-8, at least once in middle school and at least once in high school, pursuant to the California Healthy Youth Act (Education Code Section 51930, *et seq.*).

School Safety Plan

The Charter School shall adopt a School Safety Plan, to be reviewed and updated by March 1 of every year, which shall include identification of appropriate strategies and programs that will provide or maintain a high level of school safety and address the Charter School's procedures for complying with applicable laws related to school safety, including the development of all of the following pursuant to Education Code Section 32282(a)(2)(A)-(J):

- child abuse reporting procedures
- routine and emergency disaster procedures

- policies for students who committed an act under Education Code Section 48915 and other Charter School-designated serious acts leading to suspension, expulsion, or mandatory expulsion recommendations
- procedures to notify teachers of dangerous students pursuant to Education Code Section 49079
- a discrimination and harassment policy consistent with Education Code Section 200
- provisions of any schoolwide dress code that prohibits students from wearing “gang-related apparel,” if applicable
- procedures for safe ingress and egress of pupils, parents, and employees to and from the Charter School
- a safe and orderly environment conducive to learning
- the rules and procedures on school discipline adopted pursuant to Education Code Sections 35291, 35291.5, 47605, and 47605.6
- procedures for conducting tactical responses to criminal incidents

Emergency Preparedness

The Charter School shall adhere to an Emergency Preparedness Handbook/School Safety Plan drafted specifically to the needs of the facility in conjunction with law enforcement and the Fire Marshal. This handbook shall include, but not be limited to the following responses: fire, flood, earthquake, terrorist threats, and hostage situations.

Staff shall receive training in emergency response, including appropriate "first responder" training or its equivalent.

Bloodborne Pathogens

The Charter School shall meet state and federal standards for dealing with bloodborne pathogens and other potentially infectious materials in the workplace. The Board shall establish a written infectious control plan designed to protect employees and students from possible infection due to contact with bloodborne viruses, including HIV and hepatitis B virus (“HBV”). Whenever exposed to blood or other bodily fluids through injury or accident, staff and students shall follow the latest medical protocol for disinfecting procedures.

Drug-, Alcohol-, and Smoke-Free Environment

The Charter School shall function as a drug-, alcohol-, and smoke-free environment.

Facility Safety

The Charter School shall comply with Education Code Section 47610 by utilizing facilities that are either compliant with the Field Act or facilities that are compliant with the California Building Standards Code. The Charter School agrees to test sprinkler systems, fire extinguishers, and fire

alarms annually at its facilities to ensure that they are always maintained in an operable condition. The Charter School shall conduct fire drills as required under Education Code Section 32001 and in conjunction with the District.

Comprehensive Anti-Discrimination and Harassment Policies and Procedures

The Charter School is committed to providing a school that is free from discrimination and sexual harassment, as well as any harassment based upon the actual or perceived characteristics of race, religion, creed, color, gender, gender identity, gender expression, nationality, national origin, ancestry, ethnic group identification, genetic information, age, medical condition, marital status, sexual orientation, sex and pregnancy, physical or mental disability, childbirth or related medical conditions, military and veteran status, denial of family and medical care leave, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by federal, state, local law, ordinance or regulation. The Charter School shall develop a comprehensive policy to prevent and immediately remediate any concerns about discrimination or harassment at the Charter School (including employee to employee, employee to student, and student to employee misconduct). Misconduct of this nature is very serious and will be addressed in accordance with the Charter School's anti-discrimination and harassment policies.

A copy of the policy shall be provided as part of any orientation program conducted for new and continuing pupils at the beginning of each quarter, semester, or summer session, as applicable, and to each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year, or at the time that there is a new employee hired.

Bullying Prevention

The Charter School shall adopt procedures for preventing acts of bullying, including cyberbullying. The Charter School shall annually make available the online training module developed by the CDE pursuant to Education Code Section 32283.5(a) to certificated school site employees and all other school site employees who have regular interaction with children.

ELEMENT G
STUDENT POPULATION BALANCE

The means by which the charter school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils, as defined by the evaluation rubrics in Section 52064.5, that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted. Upon renewal, for a charter school not deemed to be a local educational agency for purposes of special education pursuant to Section 47641, the chartering authority may consider the effect of school placements made by the chartering authority in providing a free and appropriate public education as required by the federal Individuals with Disabilities Education Act (Public Law 101-476), on the balance of pupils with disabilities at the charter school. Education Code Section 47605(c)(5)(G).

MEANS TO ACHIEVE A BALANCE OF RACIAL AND ETHNIC PUPILS, SPECIAL EDUCATION PUPILS, AND ENGLISH LEARNER PUPILS

Discovery Charter School will achieve a balance among its students as described in Education Code Section 47605(c)(5)(G) that is reflective of the general population residing within the jurisdiction of the District, including by employing the following strategies as appropriate:

- Printing the registration packet in Spanish and other languages upon request.
- Producing informational brochures in Spanish and other languages upon request.
- Maintaining a publicly-accessible website that allows prospective families, inclusive of those with students described in Section 47605(c)(5)(G), with an opportunity to learn about DCS' programs, how DCS meets the needs of all students, and how to apply for admission.
- Operating as an inclusive community school that is designed to meet the needs of all students, including those students described in Section 47605(c)(5)(G).
- Research and implement the optimal methods of reaching students and parents of various racial and ethnic groups, special education students, and EL students in the community.

ELEMENT H
ADMISSION POLICIES AND PROCEDURES

Admission policies and procedures, consistent with [Education Code Section 47605] subdivision (e). Education Code Section 47605(c)(5)(H).

Admission Requirements

DCS is a District/Charter partner public school committed to equal opportunity. Admission to DCS shall be open primarily to all District residents and as space is available, to non-District residents, on a non-discriminatory basis without regard to race, color, national origin, creed, gender, ethnicity, age, ancestry, proficiency in the English language or academic achievement, or upon any other basis prohibited under Section 220.

In accordance with Education Code Section 47605(e)(4)(A), the Charter School shall not discourage a pupil from enrolling or seeking to enroll in the Charter School for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code Section 47605(e)(2)(B)(iii), including pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation. Similarly, in accordance with Section 47605(e)(4)(C), the 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, including, but not limited to the academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code Section 47605(e)(2)(B)(iii), as listed above.

Pursuant to Education Code Section 47605(e)(4)(D), the Charter School shall post a notice developed by the CDE on the Charter School website, outlining the requirements of Section 47605(e)(4), and make this notice available to parents.

Applications will be accepted during a publicly advertised open enrollment period each year for enrollment in the following school year. Following the open enrollment period each year, applications shall be counted to determine whether any grade level has received more applications than availability. In the event that this happens, the Charter School will hold a public random drawing (or “lottery”) to determine admission for the impacted grade level, with the exception of existing students, who are guaranteed admission in the following school year. The random drawing will be observable by the public through a live streamed event broadcast over the internet at a link that is publicized in advance. The random drawing shall also be recorded and made available for viewing after the drawing upon request by members of the public.

Admission preferences in the case of a public random drawing shall be prioritized in the following manner:

1. Residential Students³ of the District with siblings currently enrolled at DCS.
2. Residential Student.
3. Children of staff members who are currently employed full time at DCS.
4. Intra-District Transfer students in the District with siblings currently enrolled at DCS. These are students otherwise classified as students living within CVESD boundaries.⁴
5. Intra-District Transfer students in the District.⁵
6. Inter-District Transfer students otherwise classified as students living outside CVESD boundaries.
7. All other students

The Charter School and the District agree to adhere to the requirements related to admission preferences as set forth in Education Code Section 47605(e)(2)(B)(i)-(iv).

The Board will take all necessary efforts to ensure lottery procedures are fairly executed. Lottery spaces are pulled in order of grade level by the designated lottery official (appointed by the Principal). Separate lotteries shall be conducted for each grade in which there are fewer vacancies than pupils interested in attending. All lotteries shall take place on the same day in a single location. Lotteries will be conducted in ascending order beginning with the lowest applicable grade level. There is no weighted priority assigned to the preference categories; rather, within each grade level, students will be drawn from pools beginning with all applicants who qualify for the first preference category and shall continue with that preference category until all vacancies within that grade level have been filled. If there are more students in a preference category than there are spaces available, a random drawing will be held from within that preference category until all available spaces are filled. If all students from the preference category have been selected and there are remaining spaces available in that grade level, students from the second preference category will be drawn in the lottery, and the drawing shall continue until all spaces are filled and preference categories are exhausted in the order provided above.

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 name on a wait list according to their draw in the lottery. This interest list will allow students the option of enrollment in the case of an opening during the current school year. In no circumstance will a waitlist carry over to the following school year.

Public random drawing rules, deadlines, dates, and times will be communicated in the application

³ A “Residential Student” is defined as a student living within the original attendance area of the public school from which DCS converted, also identified by the District-generated attendance boundaries area as the “neighborhood.”

⁴ This preference is provided consistent with the requirement in Education Code Section 47605(e)(2)(B) that “preference shall be extended to . . . pupils who reside in the school district. . . .”

⁵ This preference is provided consistent with the requirement in Education Code Section 47605(e)(2)(B) that “preference shall be extended to . . . pupils who reside in the school district. . . .”

form and on the Charter School's website. Public notice for the date and time of the public random drawing will also be posted once the application deadline has passed. The Charter School will also inform all applicants and 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.

The Charter School will conduct the lottery in the spring for enrollment in fall of that year.

ELEMENT I
FINANCIAL AUDIT

The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies will be resolved to the satisfaction of the chartering authority. Education Code Section 47605(c)(5)(I).

FINANCIAL AUDIT

Discovery Charter School is a fiscally independent charter authorized by the District and is operating in accordance with the Charter Schools Act. An external auditor with experience fulfills the audit requirement per Education Code Sections 47605(c)(5)(I) and 47605(m) through CVESD's annual audit performed in education. CVESD's auditors examine and audit DCS's financial statements, revenues, expenses, attendance accounting and internal controls using generally accepted accounting principles as applied to all schools in the District and in accordance with the charter school provisions of the State Controller's K-12 Audit Guide.

The Principal, along with the audit committee, if any, will review any audit exceptions or deficiencies and report to the Charter School Board of Directors with recommendations on how to resolve them. The Board will submit a report to the District describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the District along with an anticipated timeline for the same. Audit appeals or requests for summary review shall be submitted to the Education Audit Appeals Panel ("EAAP") in accordance with applicable law.

ELEMENT J
PUPIL SUSPENSION AND EXPULSION PROCEDURES

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

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

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

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

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

(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five school days before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform the pupil, the pupil's parent or guardian, or the pupil's educational rights holder of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii). Education Code Section 47605(c)(5)(J).

PUPIL SUSPENSION AND EXPULSION

Discovery Charter School will maintain a comprehensive set of proactive and preventative student discipline policies. These policies will be printed and distributed as part of the Charter School's parent/student handbook and will clearly describe the Charter School's expectations regarding attendance, mutual respect, substance abuse, violence, safety, use of the technology, and work habits. Each student and their parent or guardian will be required to verify that they have received the policies annually.

While DCS stakeholders recognize that students may make poor choices at times, the safety and security of all students is the primary and upmost responsibility and expectation. In the unfortunate event that the Charter School feels it necessary to suspend or expel a student,

the criteria for suspension and expulsion of students at DCS shall be consistent with the state and federal laws. The criteria for suspension and expulsion of Discovery Charter School students will be the same as those established by the District, as well as any other grounds imposed pursuant to the provisions as outlined in the Discovery Charter School Discipline Plan (the “Plan.” With respect to discipline, special education, confidentiality and access to records and other areas where such is required, DCS provides students due process hearings in compliance with state and federal laws, rules, and regulations. As per the MOU between CVESD and DCS, CVESD will provide due process to students attending DCS in situations where the law requires it be provided by the District. No student shall be expelled from DCS without the prior written approval of the District.

The Charter School confirms that it shall comply with the following:

- For suspensions of fewer than 10 days, the Charter School shall provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present the pupil’s side of the story.
- For suspensions of 10 days or more and all other expulsions for disciplinary reasons, the Charter School shall provide both of the following:
 - Provide timely, written notice of the charges against the pupil and an explanation of the pupil’s basic rights.
 - Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.
- Pursuant to the Plan, no student shall be involuntarily removed by the Charter School for any reason unless the parent/guardian of the student has been provided written notice of intent to remove the student no less than five (5) school days before the effective date of the action. The written notice shall be in the native language of the student or the student’s parent/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 the student, the student’s parent/guardian, or educational rights holder of the basis for which the student is being involuntarily removed and the student’s parent/guardian, or educational rights holder’s right to request a hearing to challenge the involuntary removal. If a student’s parent, guardian, or educational rights holder requests a hearing, the Charter School shall utilize the same hearing procedures specified in the Plan for expulsions before the effective date of the action to involuntarily remove the student. If the student’s parent, guardian, or educational rights holder requests 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 misconduct which may be grounds for suspension or expulsion as enumerated in the Plan.
- Homework Assignments During Suspension

- In accordance with Education Code Section 47606.2(a), upon the request of a parent, a legal guardian or other person holding the right to make education decisions for the student, or the affected student, a teacher shall provide to a student in any of grades 1 to 12, inclusive, who has been suspended from school for two (2) or more school days, the homework that the student would otherwise have been assigned.
- In accordance with Education Code Section 47606.2(b), if a homework assignment that is requested pursuant to Section 47606.2(a) and turned into the teacher by the student either upon the student's return to school from suspension or within the timeframe originally prescribed by the teacher, whichever is later, is not graded before the end of the academic term, that assignment shall not be included in the calculation of the student's overall grade in the class.

ELEMENT K
STAFF RETIREMENT SYSTEM

The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security. Education Code Section 47605(c)(5)(K).

The State Teachers' Retirement System and/or Public Employees' Retirement System, and federal social security, as the previously established and implemented systems utilized by CVESD, cover all employees of DCS.

ELEMENT L
PUBLIC SCHOOL ATTENDANCE ALTERNATIVES

The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools. Education Code Section 47605(c)(5)(L).

As per the Education Code, no governing board of a school district shall require any pupil to attend a charter school. As such, Discovery Charter School recognizes the need to provide notice of attendance options and alternatives for students who choose not to attend DCS. Any student whose parents choose for them not to attend Discovery Charter School may apply for an intra-District transfer (zone transfer) or an inter-District transfer as per the District's open enrollment and inter-District transfer policies. If a parent chooses not to have their student attend DCS, transportation beyond District provided transportation shall become a parental responsibility.

ELEMENT M
EMPLOYEE RETURN RIGHTS

The rights of an employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school. Education Code Section 47605(c)(5)(M).

DESCRIPTION OF EMPLOYEE RIGHTS

Discovery Charter School shall have the sole responsibility and authority to determine staffing levels, select, evaluate, assign, and discipline personnel consistent with federal and state laws, rules, and regulations (unless waived by appropriate authorities), consistent with the Charter and the (MOU). The DCS Principal shall have authority to select and hold accountable the teachers and the non-instructional staff in DCS.

Employee return rights shall be consistent with the terms of the MOU, including as follows:

- No District employee shall be required to work at DCS.
- Any District employee who so desires to be employed at DCS shall be considered for employment through an open application process, and if hired shall, enter into a contractual agreement with DCS.
- Except as provided by the MOU, employees of the District who choose to leave the employment of the District to work at the Charter School will have no automatic rights of return to the District after employment by the Charter School unless specifically granted by the District through a leave of absence or other agreement.
- Sick or vacation leave or years of service credit at the District or any other school district will not be transferred to the Charter School.
- All DCS staff choosing to leave the Charter School will not be guaranteed employment with the District.

ELEMENT N
DISPUTE RESOLUTION PROCEDURE

The procedures to be followed by the charter school and the chartering authority to resolve disputes relating to provisions of the charter. Education Code Section 47605(c)(5)(N)

Education Code Section 47605(c)(5)(N) requires that a charter school designate the procedure to be followed by the Charter School and the chartering authority in the event of a dispute relating to the provisions of the charter.

In the event of such a dispute, Discovery Charter School and CVESD shall:

- Provide written notice to the other of the nature of the dispute and the facts that the party believes support the failure to comply. This notice shall be provided within fifteen (15) calendar days of when the party became aware of the possible violation unless there are extenuating circumstances.
- After the receipt of notice, the District Superintendent or their designee, the Principal and a representative of their respective governing boards shall meet to attempt and resolve the dispute.
- If the parties cannot resolve the dispute among themselves, the matter shall be submitted to a mediator experienced in conflict resolution and educational issues chosen from a list of seven names provided by the San Diego County Superintendent of Schools.
- The first opportunity to strike a mediator's name off the list shall be determined by lot. The parties shall alternatively strike until one name remains.
- Within ten (10) calendar days of appointment of the mediator or as otherwise mutually agreed, the parties shall meet to resolve the dispute. Any agreement reached shall be written and preserved.

In the event a resolution is reached:

- A written description of that resolution shall be drafted, signed, and preserved as guidance for future action.

Internal Disputes

The Charter School has an internal dispute resolution process to be used for all internal disputes related to the Charter School's operations. The Charter School shall also maintain a Uniform Complaint Policy and Procedures as required by state law, and a General Complaint Policy. Parents, students, Board members, volunteers, and staff at the Charter School shall be provided with a copy of the Charter School's policies and internal dispute resolution process. The District shall promptly refer all disputes not related to a possible violation of the charter or law to the Charter School.

ELEMENT O
CHARTER SCHOOL CLOSURE PROCEDURES

The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records. Education Code Section 47605(c)(5)(O).

CLOSURE OF CHARTER SCHOOL

Closure of the Charter School will be documented by official action of the Board of Directors. The action will identify the reason for closure. The official action will also identify an entity and person or persons responsible for closure-related activities. The Charter School will promptly notify parents and students of the Charter School, the District, the San Diego County Office of Education, the Charter School's SELPA, the retirement systems in which the Charter School's employees participate (e.g., Public Employees' Retirement System, State Teachers' Retirement System, and federal social security), and the CDE of the closure as well as the effective date of the closure.

The District shall have the option, subject to any limitations and/or conditions in loan or lease agreements in which Discovery Charter School is a party, to acquire all, but not part, of the property and equipment provided by the Charter School. The Charter School will ask the District to store original records of Charter School students. All student records of the Charter School shall be transferred to the District upon Charter School closure. If the District will not or cannot store the records, the Charter School shall work with the County Office of Education to determine a suitable alternative location for storage. DCS shall comply with all District policies and regulations and all applicable federal and state laws concerning confidentiality and the maintenance, disclosure, or disposal of student records. A final audit will be prepared by a certified public accountant, in accordance with state law in order to identify assets, liabilities and other relevant financial information.