Submitted to:
San Bernardino City Unified School District

Term: 5 Years

2019-2024
Charter Renewal Petition Submitted on: October 25, 2018
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Introduction

October 25, 2018

Dr. Dale Marsden, Superintendent  
Dr. Christopher Tickell, Charter School Director  
Mrs. Abigail Medina, Board President  
Board Members of San Bernardino City Unified School District  
San Bernardino City Unified School District  
777 North F Street  
San Bernardino, CA 92410

Dear Superintendent Marsden, Dr. Tickell, Board President Mrs. Medina and Members of the Board:

Options For Youth-San Bernardino (”OFY-San Bernardino”) thanks you for supporting OFY-San Bernardino students for nine years and making countless dreams come true. OFY-San Bernardino is submitting a Petition for Renewal of the OFY-San Bernardino charter for a term of five years, from 2019 - 2024. OFY-San Bernardino has met the legal requirements for charter renewal and demonstrated school progress, therefore OFY-San Bernardino is requesting that the San Bernardino City Unified School District Board grant this renewal petition.

Since September, 2009, OFY-San Bernardino has been educating, re-engaging and empowering at-risk students to become lifelong learners who contribute to their community and be productive members of society. During the current term of this charter, from 2014 to present, OFY-San Bernardino continued to operate a successful educational program with numerous achievements that contributed to the success of students in the San Bernardino community. Following is a brief overview of the program and summary of achievements.

A. Program Overview and Achievements

OFY-San Bernardino provides a comprehensive, alternative middle and high school education to high-risk students that leads to students’ attainment of a diploma, acceptance into college or pursuit of a career. OFY-San Bernardino serves these students through a flexible blended learning model with a strong social emotional curriculum and high levels of one on one student teacher interaction. OFY-San Bernardino serves these students in three distinct resource centers.

OFY-San Bernardino has been authorized to operate by San Bernardino City Unified School District since September of 2009 and was last reauthorized in 2014. Options For Youth-San Bernardino is currently in its ninth year of operation and is accredited by the Western Association of Schools and Colleges (WASC).

During the current term of the OFY-San Bernardino Charter, the charter school has experienced many successes that include, but are not limited to the following:

1. Organization

   • Received WASC Accreditation through June 30th, 2019—a 6-year term
• Received Best Schools Award from US News in 2015
• Options For Youth-San Bernardino, in conjunction with Pathways Management Group, received national accreditation from AdvancED through June 30th, 2022
• Served over 1,700 students in the 2017/18 school year
• Successfully transitioned into a new student information system - Student Trac

2. Academic Programs
• Added EL Specialists Coaches and Teachers to our Instructional Team for additional EL Support
• Implemented Renaissance STAR Assessment to track student learning progression
• Hired additional Intervention Specialists to reduce achievement gap in Math
• Implemented Tableau—a dashboard system to track and evaluate student academic data
• Offered Summer School Courses for students throughout the San Bernardino City Unified School District as well as neighboring Districts
• Added International Experiential Learning Trips—Cuba, Italy, and China
• Created Sports Programs

3. Curriculum and State Standards
• Transitioned Independent Study curriculum from CA State Standards to CA Common Core Standards
• Created Integrated Math Courses to align with San Bernardino City Unified District requirements
• Moved to 100% virtual assessments for all curriculum
• Implemented CAST assessment structure in digital curriculum for science
• Aligned courses to SDAIE requirements for EL Students
• Added remediation courses in ELA and Math for student intervention plans
• Continuously track testing data to identify learning gaps in students

4. Professional Development
• Conducted Pedagogy training for all new incoming staff that exposes teachers to learning targets, mastery level learning, best practices, and strategies in the classroom
• Offered and administered variety of Professional Development opportunities for all staff throughout school year
• Instituted a new platform, Edivate, for standardized teacher observation in order to support teacher growth
• Participated in a yearly Coaching Academy hosted by Learning Forward to provide professional growth and focus for coaches
• Created a system to implement Professional Learning Communities for all instructional staff
• Received training from the CSU system to become certified in teaching ERWC college ready courses
• Participated in an array of national conferences for leadership, instructional and curriculum development
5. **Student/Parent Engagement**

- Offered various opportunities for students to visit college campuses throughout the school year
- Required all incoming students to take character education course in order to acclimate students to their new school
- Implemented Mentor program for students to develop skills to navigate through their high school career
- Partnered with Pathways in Education (PIE) to offer a variety of experiential learning trips to all students
- Invited families to yearly special recognition award dinner to bilingual students
- Offered College and Career Nights by Student Advisors to bring awareness to post-secondary options for students and families
- Conducted Financial Aid Workshops for parents and students in multiple languages
- Facilitated student led parent conferences to update families on academic progress
- Conducted LCAP Survey Nights for families to set overall vision for student growth as to set school goals
- Offered open house twice a year for community and student families to visit school
- Hosted yearly Senior Signing Event for families of students accepted into post-secondary education
Options For Youth-San Bernardino Charter School ("OFY-San Bernardino," "OFY-SB," or the "Charter School") will follow any and all federal, state, and local laws and regulations that apply to OFY-San Bernardino including but not limited to:

1. Throughout this Charter and any attachments, Exhibits, and appendices hereto, any and all references to OFY-San Bernardino, Inc.; OFY-San Bernardino; OFY-SB; or the Charter School shall apply with full force and effect to each of the others. For all purposes set forth in this Charter and any attachments, Exhibits, and appendices hereto, each of the above-listed entities are deemed one and the same and, to the extent that they are separate legal entities, they shall have joint and several liability for all obligations of OFY-San Bernardino and each of the other entities listed above as set forth in this Charter, and any attachments, Exhibits, and or appendices hereto, and each of the entities shall be fully obligated to comply with the provisions of this Charter, and any attachments, Exhibits, and or appendices hereto, without regard to the name or designation used in referring to OFY-San Bernardino, Inc.; OFY-San Bernardino; OFY-SB; or the Charter School in any or all of the documents.

2. OFY-San Bernardino shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Sections 60605 and 60581, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(c)(1)]

3. OFY-San Bernardino declares that it shall be deemed the exclusive public school employer of the employees of OFY-San Bernardino for the purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(b)(6)]

4. OFY-San Bernardino shall be nonsectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]

5. OFY-San Bernardino shall not charge tuition. [Ref. Education Code Section 47605(d)(1)]

6. OFY-San Bernardino 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 random public drawing to determine admission. Except as required by Education Code Section 47605(d)(2) and Education Code Section 51747.3, admission to OFY-San Bernardino will not be determined according to the place of residence of the student or his or her parents within the State. Preference in the public random drawing will be given as required by Education Code 47605(d)(2)(B)(i)-(iv). In the event of a drawing, the chartering authority will make reasonable efforts to accommodate the growth of OFY-San Bernardino in accordance with Education Code Section 47605(d)(2)(C). [Ref. Education Code Section 47605(d)(2)(A)-(C)]

7. 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(d)(1)]

8. If a pupil is expelled or leaves OFY-San Bernardino without graduating or completing the school year for any reason, OFY-San Bernardino 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(d)(3)]

9. OFY-San Bernardino may encourage parental involvement, but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, the Charter School. [Ref. Education Code Section 47605(n)]

10. OFY-San Bernardino shall adhere to all provisions of federal law related to students with disabilities, including but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities in Education Improvement Act of 2004.

11. OFY-San Bernardino shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]

12. OFY-San Bernardino shall ensure that teachers in OFY-San Bernardino hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools is required to hold. As allowed by statute, flexibility will be given to non-core, non-college preparatory teachers. [Ref. Education Code Section 47605(l)]

13. OFY-San Bernardino shall at all times maintain all necessary and appropriate insurance coverage.

14. OFY-San Bernardino shall, for each fiscal year, offer, at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D).

15. OFY-San Bernardino shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. Education Code Section 47612.5(a)(2)]

16. OFY-San Bernardino shall, on a regular basis, consult with its parents and teachers regarding OFY-San Bernardino’s educational programs. [Ref. Education Code Section 47605(c)]

17. OFY-San Bernardino shall comply with any applicable jurisdictional limitations to the locations of its facilities. [Ref. Education Code Sections 47605 and 47605.1]
18. OFY-San Bernardino shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. Education Code Sections 47612(b) and 47610]

19. OFY-San Bernardino shall comply with all applicable portions of the Elementary and Secondary Education Act ("ESEA"), as re-authorized and amended by the Every Student Succeeds Act ("ESSA").

20. OFY-San Bernardino shall comply with the Ralph M. Brown Act, the Political Reform Act and Government Code § 1090.


22. OFY-Bernardino shall meet or exceed the legally required minimum number of school days. [Ref. Title 5 California Code of Regulations Section 11960]

23. OFY-San Bernardino shall comply with federal, state, and District mandates regarding English Learner ("EL") education and re-designation of EL students and meet all requirements of federal and state laws regarding equal access to the curriculum for English Learners.

John Calhoun, President

10/24/18
Charter Renewal Criteria: Evidence and Analysis

**Governing Law:** Petitions for renewal should be judged by the same standards and criteria as the initial approval of charters. Education Code 47607.

**Governing Law:** A charter school must meet at least one of the following for charter renewal: a) Attained API growth target in the prior year or in two of the last three years, school wide and for all groups of pupils served; b) Ranked in deciles 4 to 10 on the API in the prior year or in two of the last three years; c) Ranked in deciles 4 to 10 on the API for a demographically comparable school in the prior year or in two of the last three years; d) Performs at least equal to the academic performance of the public schools that the pupils would have been required to attend, and the performance of the schools where the charter is located, considering the composition of the pupils; e) Qualified for an alternative accountability system. Education Code 47607(b).

**Governing Law:** Any school or school district that does not receive an API calculated shall use one of the following: a) The most recent API calculations; b) An Average of the three most recent annual API calculations; c) Alternative measures that show increases in pupil achievement for all groups of pupils schoolwide and among significant subgroups. Education Code 52052 (e)(4).

OFY-San Bernardino has been educating students in the San Bernardino City Unified School District since September, 2009. Additionally, San Bernardino City Unified School District authorized OFY-San Bernardino to operate a resource center in Moreno Valley. During the past nine years, OFY-San Bernardino has inspired thousands of at-risk students to achieve their goals and made countless dreams come true. OFY-San Bernardino is seeking a renewal of their charter to continue educating and inspiring students in the San Bernardino community and Moreno Valley to achieve their goals. As noted below, OFY-San Bernardino has met the charter renewal criteria.

OFY-San Bernardino has met the minimum statutory requirements for renewal set forth in Education Code 47607(b) in the following manner:

- **Has Qualified for an alternative accountability system**
  - Dashboard Alternative School Status (DASS)

In May 2017, the State Board of Education (SBE) approved the recommended participation process for the Dashboard Alternative School Status (DASS). The DASS replaces the previously administered Alternative Schools Accountability Model (ASAM) and holds alternative schools and schools of choice accountable for alternative accountability indicators that will be incorporated in the Dashboard beginning in the Fall of 2018.

Alternative schools participating in the DASS program are identified through one of two methods:

- Defined Alternative Schools
- Other Alternative Schools
Under the Other Alternative School method, alternative schools of choice and charter schools that serve high-risk students are eligible. These schools must have an **unduplicated count** of at least 70 percent of the school’s total enrollment comprised of high-risk student groups to be eligible for DASS. The high risk groups include the following:

A) Expelled (Ref. Education Code Section 48925[b]) including situations in which enforcement of the expulsion order was suspended (EC Section 48917)
B) Suspended Ref. Education Code Section 48925(d)] more than 10 days in a school year
C) Wards of the Court (Welfare and Institution Code Section 601 or 602) or dependents of the court (Welfare and Institution Code Section 300 or 654)
D) Pregnant and/or Parenting
E) Recovered Dropouts—State Board of Education (SBE) defines recovered dropouts based Ref. Education Code Section 52052.3(b) as students who: (1) are designated as dropouts pursuant to the exit and withdraw codes in the California Longitudinal Pupil Achievement Data System (CALPADS), or (2) left school and were not enrolled in a school for a period of 180 days
F) Habitually Truant (Ref. Education Code Section 48262) or Habitually Insubordinate and Disorderly whose attendance at the school is directed by a school attendance review board or probation officer (Ref. Education Code Section 48263)
G) Retained more than once in kindergarten through grade eight
H) Students who are credit deficient (i.e., students who are one semester or more behind in the credits required to graduate on-time, per grade level, from the enrolling school’s credit requirements)
I) Students with a gap in enrollment (i.e., students who have not been in any school during the 45 days prior to enrollment in the current school, where the 45 days does not include non-instructional days such as summer break, holiday break, off-track, and other days when a school is closed)
J) Students with high level transiency (i.e., students who have been enrolled in more than two schools during the past academic year or have changed secondary schools more than two times since entering high school)
K) Foster Youth (Ref. Education Code Section 42238.01[b])
L) Homeless Youth
M) Emotionally disturbed students (Title 34, Code of Federal Regulations Section 300.7[c][4])

In the Fall of 2017, OFY-San Bernardino established its eligibility to participate in the DASS program. 79.4% of OFY-San Bernardino’s total enrollment is comprised of high-risk student’s eligible for DASS criteria. OFY-San Bernardino clearly meets the 70% threshold required by the CA State Board of Education to be eligible for DASS. Thus, OFY- San Bernardino should be granted a charter renewal term pursuant to Education Code 47607(b).
PERCENT OF STUDENTS SERVED BY ELIGIBILITY FOR DASS

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<td>B) Suspended</td>
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<td>C) Wards of the Court</td>
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<td>M) Emotionally disturbed students</td>
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<td>Total Percent</td>
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A list of California Department of Education Active DASS Schools, that includes OFY-San Bernardino, is included in Exhibit 2, page 3, and can be found on the CDE’s website: https://www.cde.ca.gov/ta/ac/activeschools.asp

A. Analysis of State Testing Data

OFY-San Bernardino continues to strive for gains in academic performance. OFY-San Bernardino sets yearly goals to increase the number of students who meet or exceed standards in state testing. Below
you will find CAASPP results for the 2016/17 school year comparing OFY-San Bernardino to SBCUSD schools.

### 2016/17 CAASPP ELA and Math Comparison to SBCUSD Schools

#### Table 1: Percent of students who meet or exceed standard

| ELA                              | "All Students" | Math      | Percent |
|----------------------------------|----------------|-----------|
| **STATE**                        | 48%            | **STATE** | 37%     |
| **SBCUSD**                       | 36%            | **SBCUSD**| 23%     |
| **OFY-San Bernardino**            | 21%            | **OFY-San Bernardino** | 4%     |
| **OFY-San Bernardino** (Grade 11) | 30%            | **OFY-San Bernardino** (Grade 11) | 5%     |
| **OFY-San Bernardino** (Grade 7-8) | 10%            | **OFY-San Bernardino** (Grade 7-8) | 5%     |
| **San Andreas High School**       | 5%             | **San Andreas High School** | 1%     |
| **Sierra High School**            | 5%             | **Sierra High School** | 0%     |
| **Pacific High School**           | 26%            | **Pacific High School** | 9%     |
| **Shandin Hills Middle School**   | 23%            | **Shandin Hills Middle School** | 13%   |
| **Alta Vista Public Charter**     | 15%            | **Alta Vista Public Charter** | 1%     |
| **ASA Charter**                   | 22%            | **ASA Charter** | 6%     |
| **Bayside Community Day**         | 2%             | **Bayside Community Day** | 0%     |

#### Table 2: Percent of students who meet or exceed standard

"Economically Disadvantaged"
### Table 3: Percent of students who meet or exceed standard “With Disabilities”

<table>
<thead>
<tr>
<th>ELA</th>
<th>Percent</th>
<th>Math</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>STATE</strong></td>
<td>14%</td>
<td><strong>STATE</strong></td>
<td>11%</td>
</tr>
<tr>
<td><strong>SBCUSD</strong></td>
<td>7%</td>
<td><strong>SBCUSD</strong></td>
<td>4%</td>
</tr>
<tr>
<td><strong>OFY- San Bernardino</strong></td>
<td>0%</td>
<td><strong>OFY- San Bernardino</strong></td>
<td>0%</td>
</tr>
<tr>
<td><strong>OFY-San Bernardino (Grade 11)</strong></td>
<td>0%</td>
<td><strong>OFY-San Bernardino (Grade 11)</strong></td>
<td>0%</td>
</tr>
<tr>
<td><strong>OFY-San Bernardino (Grade 7-8)</strong></td>
<td>0%</td>
<td><strong>OFY-San Bernardino (Grade 7-8)</strong></td>
<td>0%</td>
</tr>
<tr>
<td><strong>San Andreas High School</strong></td>
<td>5%</td>
<td><strong>San Andreas High School</strong></td>
<td>0%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ELA</th>
<th>Percent</th>
<th>Math</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>STATE</strong></td>
<td>35%</td>
<td><strong>STATE</strong></td>
<td>25%</td>
</tr>
<tr>
<td><strong>SBCUSD</strong></td>
<td>34%</td>
<td><strong>SBCUSD</strong></td>
<td>22%</td>
</tr>
<tr>
<td><strong>OFY- San Bernardino</strong></td>
<td>21%</td>
<td><strong>OFY- San Bernardino</strong></td>
<td>4%</td>
</tr>
<tr>
<td><strong>OFY-San Bernardino (Grade 11)</strong></td>
<td>30%</td>
<td><strong>OFY-San Bernardino (Grade 11)</strong></td>
<td>5%</td>
</tr>
<tr>
<td><strong>OFY-San Bernardino (Grade 7-8)</strong></td>
<td>11%</td>
<td><strong>OFY-San Bernardino (Grade 7-8)</strong></td>
<td>5%</td>
</tr>
<tr>
<td><strong>San Andreas High School</strong></td>
<td>5%</td>
<td><strong>San Andreas High School</strong></td>
<td>1%</td>
</tr>
<tr>
<td><strong>Sierra High School</strong></td>
<td>5%</td>
<td><strong>Sierra High School</strong></td>
<td>0%</td>
</tr>
<tr>
<td><strong>Pacific High School</strong></td>
<td>26%</td>
<td><strong>Pacific High School</strong></td>
<td>8%</td>
</tr>
<tr>
<td><strong>Shandin Hills Middle School</strong></td>
<td>21%</td>
<td><strong>Shandin Hills Middle School</strong></td>
<td>12%</td>
</tr>
<tr>
<td><strong>Alta Vista Public Charter</strong></td>
<td>13%</td>
<td><strong>Alta Vista Public Charter</strong></td>
<td>1%</td>
</tr>
<tr>
<td><strong>ASA Charter</strong></td>
<td>21%</td>
<td><strong>ASA Charter</strong></td>
<td>6%</td>
</tr>
<tr>
<td><strong>Bayside Community Day</strong></td>
<td>3%</td>
<td><strong>Bayside Community Day</strong></td>
<td>0%</td>
</tr>
<tr>
<td>School</td>
<td>ELA</td>
<td>Bold ELA</td>
<td></td>
</tr>
<tr>
<td>--------------------------------</td>
<td>-----</td>
<td>----------</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Latino/Hispanic</td>
<td>Black/African American</td>
<td>White</td>
</tr>
<tr>
<td><strong>STATE</strong></td>
<td>37%</td>
<td>31%</td>
<td>64%</td>
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<tr>
<td><strong>SBCUSD</strong></td>
<td>36%</td>
<td>27%</td>
<td>48%</td>
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<tr>
<td><strong>OFY - San Bernardino</strong></td>
<td>27%</td>
<td>9%</td>
<td>22%</td>
</tr>
<tr>
<td><strong>OFY - San Bernardino (Grade 11)</strong></td>
<td>34%</td>
<td>20%</td>
<td>29%</td>
</tr>
<tr>
<td><strong>OFY - San Bernardino (Grade 7-8)</strong></td>
<td>0%</td>
<td>0%</td>
<td>N/A</td>
</tr>
<tr>
<td>San Andreas High School</td>
<td>4%</td>
<td>5%</td>
<td>21%</td>
</tr>
<tr>
<td>Sierra High School</td>
<td>5%</td>
<td>3%</td>
<td>18%</td>
</tr>
<tr>
<td>Pacific High School</td>
<td>25%</td>
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<td>Shandin Hills Middle School</td>
<td>24%</td>
<td>15%</td>
<td>28%</td>
</tr>
<tr>
<td>Alta Vista Public Charter</td>
<td>15%</td>
<td>19%</td>
<td>19%</td>
</tr>
<tr>
<td>ASA Charter</td>
<td>19%</td>
<td>19%</td>
<td>N/A</td>
</tr>
<tr>
<td>Bayside Community Day</td>
<td>2%</td>
<td>0%</td>
<td>N/A</td>
</tr>
</tbody>
</table>

***Please note that test results with 10 students or less will be displayed as N/A to protect student privacy.

Table 4: Percent of students who meet or exceed standard “Ethnicity”
OFY-San Bernardino’s CAASPP scores for “all students” in ELA was at 21% met or exceeded standards while in Math, scores were 4% met or exceeded standards. While ELA scores were at or above comparable schools in San Bernardino City Unified School District, the math scores were in need of immediate attention for all student subgroups. OFY-San Bernardino has worked to address the need for math intervention. The Instructional team for OFY-San Bernardino has worked diligently with all staff to implement intervention plans.

OFY-San Bernardino immediately added Math credentialed support staff to help supplement instruction in order to improve student learning. Math Intervention Specialists have been hired throughout the school to assist students who are not meeting academic standards in Math. The role of the Math Intervention Specialist is to ensure that students are able to master grade level standards and curriculum by meeting

### Table 5: Percent of students who meet or exceed standard “Ethnicity”

<table>
<thead>
<tr>
<th></th>
<th>Latino or Hispanic</th>
<th>Black or African American</th>
<th>White</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>STATE</strong></td>
<td>25%</td>
<td>19%</td>
<td>53%</td>
</tr>
<tr>
<td><strong>SBCUSD</strong></td>
<td>23%</td>
<td>14%</td>
<td>34%</td>
</tr>
<tr>
<td><strong>OFY-San Bernardino</strong></td>
<td>2%</td>
<td>3%</td>
<td>8%</td>
</tr>
<tr>
<td><strong>OFY-San Bernardino (Grade 11)</strong></td>
<td>3%</td>
<td>6%</td>
<td>13%</td>
</tr>
<tr>
<td><strong>OFY-San Bernardino (Grade 7-8)</strong></td>
<td>0%</td>
<td>0%</td>
<td>N/A</td>
</tr>
<tr>
<td>San Andreas High School</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>Sierra High School</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>Pacific High School</td>
<td>8%</td>
<td>4%</td>
<td>19%</td>
</tr>
<tr>
<td>Shandin Hills Middle School</td>
<td>13%</td>
<td>11%</td>
<td>21%</td>
</tr>
<tr>
<td>Alta Vista Public Charter</td>
<td>1%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>ASA Charter</td>
<td>11%</td>
<td>3%</td>
<td>N/A</td>
</tr>
<tr>
<td>Bayside Community Day</td>
<td>0%</td>
<td>0%</td>
<td>N/A</td>
</tr>
</tbody>
</table>

***Please note that test results with 10 students or less will be displayed as N/A to protect student privacy.
with students on a one-on-one basis. In addition to meeting and working on math skills with students, the Math Intervention Specialist continuously monitors the progress of the students by tracking class attendance, growth, and barriers to student academic performance. The Math Intervention Specialists work collaboratively with all instructional stakeholders to set math goals with students and reviews these goals at weekly student meetings to ensure growth.

OFY-San Bernardino has also added Math Tutors to the instructional support staff. The Math Tutor’s primary role is to assist students individually or in small group settings in an effort to improve overall math skills. Math Tutors work with Math Teachers and Math Intervention Specialists to work on specific skills. Math Tutors set specific times to meet with students who are mandated to attend tutoring appointments. Students who are identified with math skill deficiencies are given mandatory tutoring appointments where skill sets are worked on.

OFY-San Bernardino has also added Math Readiness Course to its curriculum. Math Readiness is a standards and concept based modular course designed to remediate students on various levels of math standards. These modules are designed to be assigned as needed where the Math Teacher is able to detect a deficiency with a student’s particular skill set. Math Intervention Specialists and Math Tutors work with students through the modules and work diligently to increase the student’s ability to comprehend and master concepts.

OFY-San Bernardino aims for mastery of ELA standards as measured through state testing. ELA intervention support is done through several avenues for students. Teachers aim to enroll students in Small Group Instruction (SGI) courses rather than Independent Study courses for those students who have been identified as not meeting standards. SGI’s courses allow students a more focused instruction as compared to learning concepts independently. Several Core SGI offerings are available to students throughout the school year.

Similar to the Math Tutor role, a tutor is available for all students struggling in ELA concepts. Tutors support the development of various language arts skills. Reading, writing and comprehension support is given to students so that they continue to make progress. Weekly goals are set for students in order to ensure growth.

OFY-San Bernardino has added courses to the curriculum that help remediate the English Standards. English Readiness is a modular course developed on ELA power standards. The course is assigned to students who have been identified as having deficiencies in a particular skill set. Students work on standards with either a tutor or English credentialed staff member to reinforce certain concepts. Literacy Development is an additional course added to the curriculum to support student’s reading comprehension and writing skills. This course utilizes TeenBiz 3000 reading program to differentiate instruction in reading comprehension and writing.

The Instructional Team diligently monitors the progress of students throughout the year who are placed on intervention plans. Progress monitoring is done weekly, bi-weekly, and monthly through curriculum measurement. Course completion and passing unit assessments in courses ensures that students are meeting targets. In addition, OFY-San Bernardino monitors progress through Renaissance STAR Reading and Math assessments. Renaissance STAR sets the benchmark for students on initial assessment. Renaissance STAR is given at least 3 times per year to gauge student learning.
B. 2017-18 Local Control Accountability Goals Attained

In order to ensure that students were on track towards graduation, one of the SY2017/18 Local Control and Accountability Plan (LCAP) goals was to increase student progression rates to 83% for all CBEDS students and low-income student subgroup, while the student progression rate goals for English Learners was to increase to 82%.

Student Progression is an internal metric which is the combination of attendance and work completion. This metric helps OFY-San Bernardino determine whether students are completing enough course work to move at the same or an advanced pace—and in order to reach age-related grade level—as a traditional program.

The LCAP metric goal of 83% was surpassed and student progression for all CBEDS students increased to 87.07% while the low-income also met the goal at 87.18% overall. The LCAP goal for EL’s was surpassed at 83.54% (See Table 6).

**Table 6: Student Progression Rates**

<table>
<thead>
<tr>
<th></th>
<th>2017-18 Metric Goals</th>
<th>2017-18 Metric Actuals</th>
<th>Met or Did Not Meet</th>
</tr>
</thead>
<tbody>
<tr>
<td>All CBEDS Students</td>
<td>83%</td>
<td>87.07%</td>
<td>Met Goal</td>
</tr>
<tr>
<td>All CBEDS English Learners</td>
<td>82%</td>
<td>83.54%</td>
<td>Met Goal</td>
</tr>
<tr>
<td>All CBEDS Low-Income Students</td>
<td>83%</td>
<td>87.18%</td>
<td>Met Goal</td>
</tr>
</tbody>
</table>

To support our foster youth, a goal was set to attain 75% of our foster youth to have an Individualized Learning Plan (ILP) that considered AB216 qualifications. That goal was clearly met by attaining 93.8% of our foster youth on the ILP plan with AB216 qualifications (See Table 7).

**Table 7: ILP Rate with AB216 Qualifications**

<table>
<thead>
<tr>
<th></th>
<th>2017-18 Metric Goals</th>
<th>2017-18 Metric Actuals</th>
<th>Met or Did Not Meet</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Foster Youth</td>
<td>75%</td>
<td>93.8%</td>
<td>Met Goal</td>
</tr>
</tbody>
</table>

In order to make certain that our EL student’s reclassification rate maintained or improved in 2017/18, a goal of 20% was set for the reclassification rate of all eligible EL learners. That goal was clearly met by reaching a 32.26% rate (See Table 8).

**Table 8: EL Student Reclassification Rate**

<table>
<thead>
<tr>
<th></th>
<th>2017-18 Metric Goals</th>
<th>2017-18 Metric Actuals</th>
<th>Met or Did Not Meet</th>
</tr>
</thead>
<tbody>
<tr>
<td>All eligible EL Learners</td>
<td>20%</td>
<td>32.26%</td>
<td>Met Goal</td>
</tr>
</tbody>
</table>
Due to the high mobility nature of our student population, drop-out rate is a metric we continuously look to improve. Our middle school drop-out rate for SY2017/18 was at 0% while the high school drop-out rate was at 1.92%. The goal was to decrease drop-out rates by at least .5% while maintaining rates lower than 14.36% at the high school level and 8.51% at the middle school level (See Table 9).

In order to increase graduation rates, goals have been set to increase instruction and support on social-emotional development of the students. A goal of 35% of all CBEDS students was set for participation in extra-curricular activities or to complete a course designed to develop social-emotional skills. 48.37% of all CBEDS students met this goal (See Table 10).

A goal of 81% of eligible CBEDS seniors will earn a diploma or transfer to another school on track to graduate was set in 2017/18. 91.78% of CBEDS seniors met this goal. In addition to this goal, a Senior Signing Event was held on May 9th, 2018, celebrating students accepted into post-secondary education (See Table 11).

OFY-San Bernardino uses Renaissance STAR as an internal assessment for students in Math and English. In order to measure growth and set benchmarks, 3 assessments are given throughout the school year.
A goal of at least 50% of students who take at least 2 assessments in Math and ELA will receive a Student Growth Percentile (SGP) of 40 or higher. For Math, 53.27% of students earned a 40 or higher SGP. For English, 56.47% of students earned a 40 or higher SGP (See Table 12).

**Table 12: Student Growth Percentile (SGP) of 40 or higher**

<table>
<thead>
<tr>
<th></th>
<th>2017-18 Metric Goals</th>
<th>2017-18 Metric Actuals</th>
<th>Met or Did Not Meet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Math</td>
<td>50%</td>
<td>53.27%</td>
<td>Met Goal</td>
</tr>
<tr>
<td>English</td>
<td>50%</td>
<td>56.47%</td>
<td>Met Goal</td>
</tr>
</tbody>
</table>

**Charter School Legislative Intent**

Education Code Section 47601 provides as follows:

It is the intent of the California Legislature, in enacting the Charter Schools Act of 1992, to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure, as a method to accomplish all of the following:

(a) Improve pupil learning

(b) Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving

(c) Encourage the use of different and innovative teaching methods

(d) Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site

(e) Provide parents and pupils with expanded choices in the types of educational opportunities that are available with the public school system

(f) Hold the schools established under this part accountable for meeting measurable pupil outcomes, and provide the schools with a method to change from rule-based to performance based accountability systems

(g) Provide vigorous competition within the public school system to stimulate continual improvements in all public schools
Element 1: Description of Educational Program

**Governing Law:** 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(b)(5)(A)(i).

**Governing Law:** 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, or the nature of the program operated, by the charter school, 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(b)(5)(A)(ii).

**Governing Law:** If the proposed charter school will serve high school pupils, the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the “A” to “G” admissions criteria may be considered to meet college entrance requirements. Education Code Section 47605(b)(5)(A)(iii).

A. Educational Philosophy

Options For Youth (OFY) is a catalyst for quality educational options that demystifies the path to success. Our educational philosophy is based on the belief that all students, regardless of past academic performance or personal obstacles, are capable of graduating from high school with skills necessary to succeed in post-secondary education or the job market. We create access to excellence by giving our students resources and empowering them to achieve their dreams and reach their full potential. We believe every student deserves a teacher who believes in them and an educational program that supports their individual academic and non-academic needs. OFY operates on the premise that students learn best when they feel safe in their learning environment and supported by teachers who have a genuine commitment to their individual academic and personal success. We recognize that our society will only thrive if every member of every generation is afforded the opportunity to earn a quality education prepared for the college or career of their choice. We believe an educated person in the 21st century is a self-motivated, competent, and lifelong learner who possesses the academic and life skills necessary to contribute meaningfully to society. We believe our innovative approach to providing systems and multiple levels of support propel our students towards greatness.

B. Mission and Vision

Mission: Our schools create an educational choice for all students. Our staff connects with students to empower and inspire them to achieve their goals and make their dreams a reality.

Vision: Re-engage students who are out of school or at-risk of dropping out and empower them to become lifelong learners who contribute to their community and are productive members of society.
C. Students Served

OFY-San Bernardino is open to all students that reside within San Bernardino County and any of its contiguous counties. OFY-San Bernardino serves approximately 1,400 students through the regular and summer school programs within San Bernardino County in grades 7-12, ages 12-22. OFY-San Bernardino’s primary student demographic will be students who have dropped out, are at risk of dropping out, or have struggled in traditional and district schools for various reasons. These students may include, but are not limited to:

- Pregnant or parenting teens
- Students that would benefit from one-on-one support from teachers for academic support, credit recovery, and or skill remediation;
- Students that need flexibility in their schedule to deal with a familial crisis or health issues;
- Expectant mothers
- Individuals in the juvenile justice system
- Foster care students
- Homeless students
- Students whose primary language is other than English
- Chronically absent students
- Students with behavioral problems
- Students that are looking to accelerate their learning at their own pace
- Students that are bullied
- Students that have been expelled
- Students with an Individualized Educational Plan or Section 504 plan that may benefit from a nonconventional setting

OFY-San Bernardino meets the needs of the students of the local community by:

- Identifying students who are disconnected or out of school
- Lowering the achievement gap for these at-risk and underserved students
- Increasing high school graduation rates by re-engaging the target population

OFY-San Bernardino works with the school district to offer a practical, proven educational option to high-risk youth who are not successful in the traditional setting. We serve high-risk students through a flexible blended learning model with a strong social emotional curriculum and high levels of one-on-one student-teacher interaction. According to the Spring 2018 Local Control Accountability Plan (LCAP) Student Survey, 61.05% of OFY-San Bernardino students feel that the school is flexible and can work for any student. OFY-San Bernardino operates on a year-round, multi-track calendar in small, safe learning environments. Our well-qualified teachers provide students with rigorous differentiated instruction, early academic intervention and 240 instructional days, thereby maximizing students’ potential for academic and career success.
Current Student Demographics

<table>
<thead>
<tr>
<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>713</td>
<td>598</td>
<td>507</td>
<td>499</td>
<td>620</td>
<td>840</td>
</tr>
</tbody>
</table>

***Please note this enrollment data was pulled from the California Department of Education (CDE) website. Due to OFY-San Bernardino’s continuous enrollment policy, the total enrollment data may fluctuate.

<table>
<thead>
<tr>
<th>2017-18 Comparison of Total Students</th>
<th>OFY-San Bernardino</th>
<th>San Bernardino City Unified School District</th>
<th>San Bernardino County (All Districts)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Enrollment</td>
<td>840</td>
<td>53,027</td>
<td>403,137</td>
</tr>
<tr>
<td>Hispanic/Latino</td>
<td>33</td>
<td>39,238</td>
<td>261,777</td>
</tr>
<tr>
<td>American Indian or Alaska Native</td>
<td>34</td>
<td>242</td>
<td>1,872</td>
</tr>
<tr>
<td>Asian</td>
<td>10</td>
<td>735</td>
<td>14,721</td>
</tr>
<tr>
<td>Pacific Islander</td>
<td>1</td>
<td>218</td>
<td>1,636</td>
</tr>
<tr>
<td>Filipino</td>
<td>3</td>
<td>197</td>
<td>5,414</td>
</tr>
<tr>
<td>African American</td>
<td>109</td>
<td>6,185</td>
<td>33,607</td>
</tr>
<tr>
<td>White</td>
<td>149</td>
<td>3,030</td>
<td>63,626</td>
</tr>
<tr>
<td>Two or More Races</td>
<td>20</td>
<td>753</td>
<td>8,255</td>
</tr>
<tr>
<td>Not Reported</td>
<td>481</td>
<td>2,429</td>
<td>12,229</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2017-18 Comparison Total &amp; % Students</th>
<th>OFY-San Bernardino</th>
<th>San Bernardino City Unified School District</th>
<th>San Bernardino County (All Districts)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Education</td>
<td>#</td>
<td>96</td>
<td>6,112</td>
</tr>
<tr>
<td>%</td>
<td>11.4%</td>
<td>11.5%</td>
<td>12.3%</td>
</tr>
<tr>
<td>Socioeconomically Disadvantaged</td>
<td>#</td>
<td>717</td>
<td>47,463</td>
</tr>
<tr>
<td>%</td>
<td>85.4%</td>
<td>89.5%</td>
<td>72.9%</td>
</tr>
<tr>
<td>English Learners</td>
<td>#</td>
<td>68</td>
<td>13,498</td>
</tr>
<tr>
<td>%</td>
<td>8.1%</td>
<td>25.5%</td>
<td>17.2%</td>
</tr>
</tbody>
</table>

2017-18 Enrollments by Grade

<table>
<thead>
<tr>
<th>Grade Level</th>
<th>Student Count</th>
<th>Percentage of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>23</td>
<td>2.7%</td>
</tr>
<tr>
<td>8</td>
<td>42</td>
<td>5.0%</td>
</tr>
<tr>
<td>9</td>
<td>314</td>
<td>37.4%</td>
</tr>
<tr>
<td>10</td>
<td>201</td>
<td>23.9%</td>
</tr>
<tr>
<td>11</td>
<td>181</td>
<td>21.5%</td>
</tr>
<tr>
<td>12</td>
<td>79</td>
<td>9.4%</td>
</tr>
<tr>
<td>Total Enrollment</td>
<td>840</td>
<td>100%</td>
</tr>
</tbody>
</table>
As a school that serves students who are over-age and credit deficient, the four-year cohort graduation rate can be a difficult metric to measure success due to the highly mobile nature of our student population. Therefore, we have developed a one-year cohort graduation rate as reported in our LCAP. This has and will continue to guide the efforts of our school staff in working with students to quickly master material, complete coursework, and make progress toward graduation, whether that be from our program or from their school of origin. OFY-San Bernardino’s one-year graduation rate for 2017-2018 was 91.78% which surpassed our 2017-2018 LCAP goal of 81% by more than 10%.

1. **Community Need for Charter**

OFY-San Bernardino’s educational model provides an alternate path to academic excellence and overall success for those students who have unique needs that have not met with solutions in a traditional high school environment. OFY-San Bernardino serves a population of students that have unique academic and non-academic needs. The Charter School meets the needs of the students in the local community by:

1. Identifying students who are disconnected, at-risk, or in need of additional supports
2. Addressing skill gaps with personalized, one-on-one academic support
3. Providing opportunities for recovery and re-engagement through the regular and summer school programs, sports and experiential learning trips
4. Reinforcing academic and personal growth, ultimately leading to increased district graduation rates

OFY-San Bernardino’s student population includes students that are single parents without child care, students who are struggling with social issues (such as bullying), individuals in the juvenile justice system, students with chronic absenteeism, foster care students, homeless students, students with behavioral problems, and students that have been expelled. The school’s population also includes students that need a flexible school schedule, hope to graduate early and/or thrive in a small learning environment. OFY-San Bernardino’s priority of building one-on-one relationships with every student is paramount in facilitating student success that leads to greater self-confidence.
OFY-San Bernardino is committed to ensuring a highly personalized learning environment where all students can succeed. OFY-San Bernardino students are faced with less viable educational alternatives if the charter school does not serve them.

D. Performance Goals

OFY-San Bernardino’s LCAP goals are updated annually to reflect the changing needs of the students. The LCAP goals are shared with the district for review. In SY 2017/18, OFY-San Bernardino engaged our stakeholders in various ways and determined through stakeholder feedback to continue with our 2017/18 LCAP goals for the 2018/19 school year. These goals address all eight state priorities, and a detailed breakdown on how OFY-San Bernardino meets these goals is included in Exhibit 8: Local Control and Accountability Plan.

<table>
<thead>
<tr>
<th>Goal 1</th>
<th>Related State and/or Local Priorities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Credit completion towards graduation is accomplished through overall reduction in absenteeism for all students.</td>
<td>2, 4, 5, 8</td>
</tr>
</tbody>
</table>

**Expected Annual Measurable Outcomes**

For all CBEDs students, student progression will average at least 83% overall.

For all CBEDs English learners, student progression will average at least 82% overall.

For all CBEDs low income students, student progression will average at least 83% overall.

At least 75% of our foster youth will have an ILP that considers AB 216 planning qualifications.

Of English Learners eligible for reclassification, the percentage students reclassified will be maintained at least at 20%

English learners will be offered additional and improved specialized instruction in ELD and Common Core State Standards in order to move toward reclassification.

The middle school and high school drop-out rates will be decreased by at least 0.5%. Such that the middle school drop-out rate will be no more than 14.36%, and the high school drop-out rate be no more than 8.51%.
Table A.2: Options for Youth-San Bernardino LCAP Goal 2

<table>
<thead>
<tr>
<th>Goal 2</th>
<th>Related State and/or Local Priorities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Students will receive support and instruction focused on social-emotional development in order to increase graduation rates and better prepare students for their post-secondary pathways.</td>
<td>3, 5, 6, 8</td>
</tr>
</tbody>
</table>

**Expected Annual Measurable Outcomes**

- At least 35% of CBEDS students will participate in extracurricular activities or complete a course designed to develop their social-emotional skills.
- At least 81% of eligible CBEDS seniors will either earn a diploma with us or will transfer back to another school program on track to graduate.
- The charter will hold at least one senior signing event.
- Utilizing the results of the Comprehensive School Climate Inventory administered in Spring 2017, we will work towards improving staff, parent, and student perceptions of safety and connectedness in our learning centers. We will continue to engage these stakeholders and monitor progress towards improvement through internal surveys in 2017/18 school year.

Table A.3: Options for Youth-San Bernardino LCAP Goal 3

<table>
<thead>
<tr>
<th>Goal 3</th>
<th>Related State and/or Local Priorities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Students will receive support and instruction through individualized, rigorous curriculum and will be offered resources to positively affect their progression in Math and English.</td>
<td>2, 4, 7, 8</td>
</tr>
</tbody>
</table>

**Expected Annual Measurable Outcomes**

- The average distance of student scores from Level 3 on the 2108 ELA and Math SBAC will be at the “Maintained” level of change or higher.
- Access to individualized, rigorous curriculum will be increased by adding or revising at least 1 Math course and 2 English courses in the course catalog.
- Teachers will be equipped to provide individualized, standards-aligned instruction through access to content specific instructional Coaches.
- Students will be offered additional specialized support and instruction to aid in their progression and completion of Math and English curriculum. A metric will be developed to measure credit completion in all core courses and provide baseline data.
- At least 50% of students who take at least two Renaissance STAR assessments in math and have a Student Growth Percentile (SGP) reported will earn a SGP of 40 or higher.
- At least 50% of students who take at least two Renaissance STAR assessments in English and have a Student Growth Percentile (SGP) reported will earn a SGP of 40 or higher.

**E. Academic Calendar and Students Schedule**

The average daily attendance (“ADA”) guidelines to which OFY-San Bernardino adheres are defined in Title 5 California Code of Regulations Section 11960, which states that attendance in charter schools occurs when “charter school pupils [are] engaged in educational activities required of them by their charter schools on days when school is actually taught in their charter schools.” Attendance is based on work product completion and onsite presence.

**Element 1: Description of Educational Program**

OFY-San Bernardino Charter Renewal Petition: 2019-2024
OFY-San Bernardino’s school sites are open from 8am-5pm Monday through Friday, and may stay open in the evening and on weekends, depending on student need. The school site is open year-round and will offer a minimum of 240 instructional days offering at a minimum, the number of minutes of instruction set forth in Education Code 46201. Students attend appointments with their academic recovery teacher at a minimum of twice a week to review course materials, receive academic support and intervention, complete written and verbal assessments, and collaborate in working towards academic goals. OFY-San Bernardino provides students with additional time at the school sites to gain academic support on content-specific instruction through tutoring, intervention specialists, and small group instruction. Students will be expected to complete four to six hours of academic work per day, and will submit assignments to their academic recovery teachers at each appointment. In addition, teachers hold students accountable for both attendance and assignment completion through student appointments, phone calls, written communication with parents, and where necessary, home visits.

1. **Sample Student and Teacher Schedules**

Provided below are two sample student schedules that illustrate how the program can be individualized to accommodate each student’s needs. Students have the option to enroll in a variety of electives as well as other small group instruction courses which may not be listed in the sample schedules (e.g. science, social studies, visual arts, etc.).

**Student One** is a 16-year-old, 10th grader who scored below grade level on the initial Renaissance Star math and English benchmark assessments and, as a result, has been assigned to both math and English small group instruction (“SGI”) classes and tutoring. These courses are in addition to the one-on-one student/teacher appointments required of all students. Student One has some family responsibilities, but does not hold a full-time job and is not parenting.

<table>
<thead>
<tr>
<th>Monday</th>
<th>8:00-9:00: one on one appointment with teacher</th>
<th>10:00-11:30: 10th grade English SGI class</th>
<th>3-5 hours of independent academic work (e.g. Student Activity Workbooks, online course, projects)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>1:00-2:30: Integrated Math SGI class</td>
<td></td>
</tr>
<tr>
<td>Tuesday</td>
<td>8:00-9:00: student advisor meeting</td>
<td>10:00-11:30: 10th grade English SGI class</td>
<td>3-5 hours of independent academic work (e.g. Student Activity Workbooks, online course, projects)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1:00-2:30: Integrated Math SGI class</td>
<td></td>
</tr>
<tr>
<td>Wednesday</td>
<td>8:00-9:00: one-on-one appointment with teacher</td>
<td>10:00-11:30: 10th grade English SGI class</td>
<td>3-5 hours of independent academic work (e.g. Student Activity Workbooks, online course, projects)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1:00-2:30: Integrated Math SGI class</td>
<td></td>
</tr>
</tbody>
</table>
**Element 1: Description of Educational Program**

OFY-San Bernardino Charter Renewal Petition: 2019-2024

<table>
<thead>
<tr>
<th>Thursday</th>
<th>8:30-9:30: math tutoring</th>
<th>10:00-11:30: 10th grade English SGI class</th>
<th>1:00-2:30: Integrated Math SGI class</th>
<th>3-5 hours of independent academic work (e.g. Student Activity Workbooks, online course, projects)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Friday</td>
<td>12:00-1:00: Leadership opportunity, tutoring (if necessary)</td>
<td>4-6 hours of independent academic work (e.g. Student Activity Workbooks, online course, projects)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Student Two* is a 17-year-old 11th grade male who scored at grade level on the initial math and English Renaissance STAR benchmark assessments. Student Two is an English Learner that works to help support his family; however, conversations between the student and his parents, teacher, and employer have resulted in Student Two receiving additional language support to improve English proficiency. This support helps Student Two achieve his goal of high school graduation as well as engaging in effective communication in expressing his ideas and desires in real-world situations.

<table>
<thead>
<tr>
<th>Monday</th>
<th>4-6 hours of independent academic work (e.g. Student Activity Workbook, online class, or projects)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tuesday</td>
<td>1:00-2:00: one on one teacher appointment</td>
</tr>
<tr>
<td>Wednesday</td>
<td>4-6 hours of independent academic work (e.g. Student Activity Workbook, online class, or projects)</td>
</tr>
<tr>
<td>Thursday</td>
<td>1:00-2:00: one-on-one appointment with EL specialist to increase English proficiency (e.g. ELD standards based lessons for all domains, vocabulary development, reading strategies, and supplemental writing support)</td>
</tr>
<tr>
<td>Friday</td>
<td>9:00-11:00 English tutoring</td>
</tr>
</tbody>
</table>
Below is an example of a work week for an OFY-San Bernardino teacher.

Sample Teacher Schedule:

<table>
<thead>
<tr>
<th>Monday</th>
<th>Tuesday</th>
<th>Wednesday</th>
<th>Thursday</th>
<th>Friday</th>
<th>Saturday</th>
</tr>
</thead>
<tbody>
<tr>
<td>8:00-11:00: Student appointments (60 minutes each)</td>
<td>8:00-10:00: Small Group Instruction class</td>
<td>8:00-11:00: Student appointments (90 minutes each)</td>
<td>8:00-10:00: Small Group Instruction class</td>
<td>8:00-10:00: PLC meeting</td>
<td>Option to teach Saturday school as needed by students</td>
</tr>
<tr>
<td>11:00 – 12:00: PLC meeting with content-area group</td>
<td>10:00-12:00: Small Group Instruction class</td>
<td>11:00 – 12:00: PLC meeting with content-area group</td>
<td>10:00-12:00: Small Group Instruction class</td>
<td>10:00-12:00: Individual student tutoring</td>
<td></td>
</tr>
<tr>
<td>12:00-1:00: Lunch</td>
<td>12:00-1:00: Lunch</td>
<td>12:00-1:00: Lunch</td>
<td>12:00-1:00: Lunch</td>
<td>12:00-1:00: Lunch</td>
<td></td>
</tr>
<tr>
<td>1:00-3:00: Small Group Instruction class</td>
<td>1:00-2:00: Prep, individual student tutoring, new student orientations, etc.</td>
<td>1:00-3:00: Small Group Instruction class</td>
<td>1:00-2:00: Prep, individual student tutoring, new student orientations, etc.</td>
<td>1:00-2:00: Learning center staff meeting</td>
<td></td>
</tr>
<tr>
<td>3:00-4:00: Prep, individual student tutoring, new student orientations, etc.</td>
<td>2:00-4:00: Student appointments</td>
<td>3:00-4:00: Prep, individual student tutoring, new student orientations, etc.</td>
<td>2:00-4:00: Student appointments</td>
<td>2:00-4:00: Prep, individual student tutoring, new student orientations, etc.</td>
<td></td>
</tr>
</tbody>
</table>

F. Transferability of High School Credit

OFY-San Bernardino students and parents are informed about the transferability of courses to other public high schools and the eligibility of designated courses to meet UC/CSU A-G college admissions criteria during the enrollment meetings, in newsletters, and in the student handbook. For parents with limited English, translators are available. Informational materials are distributed in English and Spanish, and if needed, in other languages.

Many students participate in the academic recovery program, catch-up on credits, and return to their resident or neighborhood school. Based upon their academic and personal goals, students may transition into and out of OFY-San Bernardino over the course of their academic careers. OFY-San Bernardino has WASC accreditation in order to ensure that the units earned at OFY-San Bernardino transfer to other middle schools and high schools and will be accepted at community colleges, colleges, and universities.

Element 1: Description of Educational Program
OFY-San Bernardino Charter Renewal Petition: 2019-2024
Accreditation allows credits awarded by OFY-San Bernardino to be transferable to other high schools and all accredited colleges. Current OFY sites serving students are all WASC accredited.

G. What It Means to be an Educated Person in the 21st Century

OFY-San Bernardino supports each student’s academic needs, as well as their social and emotional needs which enables students to achieve the goal of becoming “self-motivated, competent, and lifelong learners.” We know that an educated student thinks critically, poses questions, applies his/her knowledge to the world around them and is intrinsically motivated. We recognize the trend that high-risk students tend to experience school problems, social difficulties, and mental health issues at higher rates than non-high-risk students, and often require increasing frequencies of specialized attention in order to progress. OFY-San Bernardino’s individualized approach to educating students is predicated on the recognition that students who are choosing OFY-San Bernardino may come to school with various academic, social, and emotional issues that impede academic progress.

OFY-San Bernardino provides an alternative educational option for students who are disconnected from school or have experienced a great amount of academic failure and often have skill gaps due to academic and non-academic issues. OFY-San Bernardino supports each student’s individual academic needs, as well as their social and emotional needs, which research has shown to be equally important in making academic strides and high school graduation a real possibility.

OFY-San Bernardino believes that an educated person in the 21st century is a lifelong learner who possesses the following academic skills necessary to contribute meaningfully to society:

- Read and analyze grade-level text
- Communicate with different audiences using oral and written language
- Use math to solve everyday problems
- Understand the scientific method, and how science impacts daily life

An educated person in the 21st century exemplifies the following non-academic skills and qualities:

- Take the initiative and be self-directed
- Adapts to and is flexible toward new situations
- Shows leadership and takes responsibility
- Is productive and accountable for work products

F. How Learning Best Occurs

1. Educational Program

Options For Youth provides an alternative educational option for students who are disconnected from school or have experienced a great amount of academic failure and often have skill gaps due to academic and non-academic issues. OFY-San Bernardino supports each student’s individual academic needs, as well as their social and emotional needs, which research has shown to be equally important in making academic strides and high school graduation a real possibility. OFY-San Bernardino provides an education that increases our students’ options upon graduating for either post-secondary learning or entering the professional market, thus positively impacting the community.
OFY-San Bernardino believes that learning best occurs when the educational program is designed to meet the individual needs of the student. OFY-San Bernardino provides an educational program that reflects this philosophy by providing each student with personalized instruction tailored to their own Individualized Learning Plan ("ILP"). Upon enrollment, the student, parents/guardians, teacher, and Student Advisor collaborate to develop an ILP to guide and help ensure academic success.

We believe students learn best when:

- Students highly involved in the development and progress monitoring of the ILP in order to take ownership of academic program, current efforts, and future plans
- Authentic relationships with caring and supportive teachers and staff are established to provide inspiration, purpose, and security
- Teachers provide individualized attention and guidance as well as inspire students to achieve their goals
- Students engage in activities that build and nurture community relationships within and beyond their communities
- Educational program and its resources are premised on the immediate identification of and response to individual learning needs
- Provided with academic rigor and critical resources necessary to ensure success
- System of supports (i.e. reading and math interventionists) is in place to help students master the foundational skills and prepare them for grade level courses

Instruction at OFY-San Bernardino is delivered via three different instructional methods that enable students to take classes in a way that best facilitates their mastery of academic standards. These options are Small Group Instruction (SGI), Independent Study (IS), and Online Learning (OL). Teachers collaborate with each student on course selection, and students enroll in courses that align with their individual learning style.

Our students demonstrate success by completing courses and earning credits toward graduation. They are motivated by watching their credits accumulate and monitoring their learning goals on the ILPs as they are achieved. They will develop more confidence in their ability to succeed academically and continue to move forward to reach their goal of high school graduation and acceptance into a college or career of their choice. They will become re-engaged in their education, and their new-found confidence will inspire them, their teachers, and their classmates. Students will become more active in the school community, perform better academically and graduate determined to achieve their goals.

OFY-San Bernardino embraces the foundational research-based elements included in the school model for the academic program as indicators of projected program success with our student population. Our OFY educational program is reflective of the work of Henry Levin of Teachers College of Columbia University, Clive Belfield of City University of New York, Peter Muennig of Columbia University, and Cecilia Rouse of Princeton University. In their study, “The Costs and Benefits of Excellent Education for all America's Children,” Belfield, Levin, Muennig, and Rouse identified seven key indicators of high-quality schools that address the needs of high-risk student populations. This model addresses the needs of OFY-San Bernardino’s population because it allows students to access instruction on a more individualized level and keeps students from getting lost in a large impersonal environment found in many traditional high school settings. OFY-San Bernardino implements all seven of the following indicators:
1. **Small School Size:** OFY-San Bernardino has a student enrollment of approximately 300 at each center. The small school size allows for greater and more frequent interaction between administrators, teachers, staff, students, and parents or guardians. Also, OFY-San Bernardino’s SGI enrollment is limited to between 15-20 students and each SGI teacher works with a maximum of five students during each instructional hour.

2. **High Level of Personalization:** OFY-San Bernardino has two key methods of providing highly personalized instruction to each student. The first method of personalization is the small school and class sizes. Due to the small student body, administrators and teachers gain a deep understanding of each student’s abilities, academic goals, and needs. OFY-San Bernardino also develops an ILP for each student upon enrollment and updates this working document regularly throughout a student’s time at OFY-San Bernardino. The ILP documents each student’s academic performance, including grades and standardized test results, as well as a student’s academic and personal goals, effective teaching strategies, personal obstacles that may hinder academic performance, and any other information that would enable a teacher to have a deeper understanding of the student’s academic and personal limitations, supports, and goals.

3. **High Academic Expectations:** The administrators, teachers, and staff at OFY-San Bernardino demonstrate a sincere belief in the ability of each student to succeed in and graduate from high school. OFY-San Bernardino’s curriculum is aligned to State Standards, which includes Common Core State Standards, Next Generation Science Standards, History-Social Science Content Standards, English Language Development (“ELD”) Standards (hereinafter, collectively “State Standards”) and College and Career Standards. Each student’s ILP provides OFY-San Bernardino with the information necessary to adapt instruction to each student’s need while maintaining a high level of rigor and academic accountability. OFY-San Bernardino also offers a variety of AP courses.

4. **Counseling Services:** Our student advisor provides guidance and support to each student. The student advisor is knowledgeable about social and wrap-around services available to each student. These services are available via partnerships with area nonprofits or governmental social service agencies. OFY-San Bernardino continuously enrolls students in new courses as students complete a previous course. For example, a student may finish the coursework for Integrated Math 1 one day and begin the coursework for Integrated Math 2 the next day. Because of this quick transition from course to course, teachers and administrators will work as a student’s academic counselor as well. This close relationship will ensure that each student is prepared for and can succeed in the next course in their academic plan.

5. **Parental Engagement:** Parents and guardians are encouraged to visit OFY-San Bernardino at any time during operational hours. OFY-San Bernardino holds open house events multiple times throughout the school year so that parents can meet with teachers and administrators to discuss student performance and any other pressing concerns. Parents and guardians may also contact OFY-San Bernardino at any time to schedule an appointment with a teacher or administrator.

6. **Extended Hours:** OFY-San Bernardino operates year-round and is open from 8:00 am to 5:00 pm each weekday. These extended hours enable students to schedule their time at the school site around personal responsibilities. Also, students can walk into OFY-San Bernardino at any time to work on coursework or receive help from a tutor.

7. **Competent Personnel:** OFY-San Bernardino recruits and hires well-qualified teachers that hold a California credential or permit as required by the California Commission on Teacher Credentialing in the subject matter they teach.
OFY-San Bernardino’s program design supports the mission of the school and is designed to increase graduation from high school and student achievement. OFY-San Bernardino specifically selected this research-based and data-driven model, coupled with a curriculum that is rigorous, robust, and well-aligned to State Standards. The varied learning formats and assessments help students demonstrate mastery of content knowledge and skills. OFY-San Bernardino’s coursework fulfills “A-G” requirements for acceptance to the University of California or California State University (UC/CSU) upon graduation.

Research shows many high-risk students have difficulty focusing on the six courses that typically comprise a standard student schedule at a comprehensive, traditional high school. The students then become overwhelmed trying to effectively manage their time for each course. Therefore, OFY-San Bernardino’s students, on average, work on just two or three courses at a time allowing them to focus on and progress through courses at their own pace and without competition. Concentrating on fewer subjects at a time allows for greater depth of learning in each subject area and enables students to perform at maximum proficiency, perceive greater control over their learning, and enjoy increased self-esteem and motivation. Students receive immediate feedback and continual encouragement that builds success and leads to greater self-confidence. In addition, the academic and behavioral standards to which the students are held reinforce self-discipline and productive work habits.

2. **Curriculum and Instructional Design**

OFY-San Bernardino is defined as a non-classroom based program and complies with the Independent study California Education Code Sections 51745 et seq., the regulations implementing those sections, and the number of minutes required by Education Code Section 47612.5(a)(1)(c)(d) for such a program. OFY-San Bernardino will offer students multiple opportunities for learning outside of a conventional seat-time educational delivery system. Students will be provided the opportunity to complete academic work and credits through the following personalized learning methodologies:

- Tutoring
- Small group classroom-based instruction
- Personalized learning (including remediation support)
- Computer-based instruction

In accordance with the intent of the state legislature, OFY-San Bernardino will strive to collectively seek the best and most recent educational research and data that then leads to the development of effective and inspiring curriculum.

OFY-San Bernardino’s curriculum is created by discipline specific, credentialed teachers and is aligned with and designed to teach the State Standards and College and Career Readiness Standards. Curricula focus on instructional delivery through the implementation of high-yield instructional strategies covering core knowledge to ensure that students receive a strong foundation of essential skills so that students can reach proficiency or above in all core content areas, as evidenced through the California Assessment of Student Performance and Progress (“CAASPP”) assessment system. Courses approved by the UCOP as creditable under the “A-G” admission criteria are considered to meet the college entrance requirements. Further, courses offered by OFY-San Bernardino are accredited by the Western Association of Schools and Colleges are considered transferable.

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English language arts, mathematics, science, social studies, physical education, health, art, music, advanced placement courses and personal development coursework will be available to all students and offered through independent study coursework, classroom-based instruction in small group settings, and computer-based learning options when appropriate. OFY-San Bernardino uses research-based curriculum aligned with State Standards and English Language Development Standards. The curriculum is appropriate to the student demographic we serve and includes the following: course offerings, textbooks, curriculum maps, unit plans, interim assessments, intervention lessons and instructional strategies, and end of course exams.

OFY-San Bernardino’s curriculum has been designed around the following evidence-based practices:

- Backwards design for assessment and learning
- Differentiated instruction
- Specially designed academic instruction in English (“SDAIE”) strategies for all learners
- Project-based assignments

3. **Scope and Sequence/Curriculum Map Development**

The scope and sequence of each course has been developed using the Understanding by Design Framework and focuses on sequential, rigorous learning with built in assessments and professional development. This process begins with creating a scope and sequence for the course. To achieve this, the Developers select power standards based on endurance, leverage, and readiness. From the scope and sequence, Curriculum Developers build curriculum maps for the courses which include transfer goals and learning targets. From there, the Curriculum Developers consider how to accurately assess these goals looking to state provided resources for authority and build appropriate assessments. Once standards-based assessments are created, lessons are backwards planned. As students take these courses and tests, the Curriculum Developers use a drive-by-data approach to make revisions to the instruction. Data used includes, but is not limited to, standards-based test item analysis, SBAC data, and pacing data.

This process also helps to avoid the problem of textbook coverage and activity-oriented teaching in which no clear priorities and purposes are evident. Curriculum maps consist of several learning units in a specific subject area. The units incorporate standards-aligned texts, primary resources, technology where appropriate, performance tasks, summative assessments, and instructional strategies. In addition, each unit is structured to build on the students’ background knowledge and to support students in conceptual understanding, as well as mastery of standards and application of content knowledge.

Curriculum maps are provided to all students and are available in all subjects. All curriculum:

- Focuses on college and career readiness and learning for life
- Reflects an understanding of 21st Century Skills, as adopted by California and other states
- Encourages higher-order thinking skills and depth of knowledge
- Includes scaffolding of foundational skills to close learning gaps
- Requires Internet use for research, skill practice, and exploration
- Incorporates in-depth vocabulary study, and instruction in narrative, analytical and expository writing techniques
- Informs frequent teacher conferences and other interactions to promote frequent, focused, and effective teacher feedback
In addition to meeting the District’s graduation requirements, OFY-San Bernardino’s courses are designed to increase achievement and life choices for our at-risk student population by providing structured learning and individualized support for students who may not have previously experienced academic success. The varied learning formats and assessments allow students to demonstrate content knowledge and skills. OFY-San Bernardino’s coursework fulfills A-G requirements for acceptance to either the University of California or California State University (UC/CSU) upon graduation. A middle and high school course list is provided in Exhibit 3: Middle, High, and Online Course List. A list of OFY-San Bernardino UC/CSU Approved Course List is provided in Exhibit 4.

4. Teaching Methodologies and Instructional Design

OFY-San Bernardino’s instructional design and content delivery systems provides students an opportunity to review and relearn grade level standards not mastered prior to enrollment. Students receive instruction in a challenging yet supportive environment and the instructional model encourages student driven achievement of learning goals. Students continually improve their academic performance, practice responsibility by regularly attending their scheduled classes and appointments, and develop positive attitudes about learning and school through engaging in State Standards-aligned coursework coupled with personalized instructional support. Students participate in an instructional deliveries method that incorporates personalized support from well qualified, fully-credentialed teachers in all academic areas including foreign language and visual and performing arts. Overall, the instructional design of the program includes, but is not limited to:

- Individualized Learning Plan
- Guided Personalized Learning
- Focused learning and subject matter concentration
- Targeted Intervention
- Small Group Instruction
- Online Learning
- Career and Technical Education
- Experiential Learning
- Extended Learning Time
- Parental Involvement

4a) Individualized Learning Plan

The ILP is a roadmap to and beyond high school graduation. It addresses students’ academic needs as they progress toward graduation while honoring their roles and responsibilities outside of school. The student, parents/guardians, academic recovery teacher, and student advisor collaborate to develop an Individualized Learning Plan (ILP) to help ensure student success. Each student at OFY-San Bernardino is assigned to an academic recovery teacher (also known as guided independent study teacher) with whom they meet with at least twice per week. Each academic recovery teacher and student advisor oversees ILPs and facilitates the academic and social progress of each student.

ILPs are an essential element to OFY-San Bernardino’s educational program because they help facilitate personalization and contribute to the development of strong teacher-student relationships, which have
been shown to increase academic achievement and build social-emotional skills for low-income youth.\(^2\) Social-emotional development is critical, and a recent analysis by the Center for Benefit-Cost Analysis at Teacher’s College found that there was a positive association between social-emotional skills and academic achievement.\(^3\) Moreover, the authors underscore the far-reaching value of social-emotional skills since they have long-term behavioral and attitudinal effects.\(^4\) Furthermore, research has shown that positive one-on-one interactions between students and adults have been documented to reduce students’ feelings of alienation in school as well as move high-risk students toward their graduation goals and beyond.\(^5\)\(^6\)

An important component of the ILP is the support services. Student Advisors are the primary resource for students regarding post-secondary goals, resume writing, job applications, scholarship applications, and college and financial aid applications. Students are provided supplementary and support services to include, but not be limited to access to child care programs, foster youth information, food banks, transitional living arrangements, etc., designed to address unmet needs and impediments to advancement.

\textit{b) Guided Personalized Learning}

The guided personalized learning format aligns with the OFY-San Bernardino mission of serving the needs of the individual student and permits each student to tailor his or her work pace to meet individual academic and post-secondary goals. Students are assigned coursework to complete each week and attend regular appointments with the same teacher for instructional support, clarification on content, and assessment. Each student is required to complete a minimum number of units per each four-week learning period to stay on pace for cohort graduation. Students who are in need of credit recovery or who are seeking to graduate early may complete more units per academic school month. Each student’s self-guided units are completed in student activity workbooks (“SAWs”) and through completion of performance tasks embedded into the coursework. SAWs contain rigorous curriculum and include Internet activities, essay writing, and other various methods of assessing student learning per subject matter.

OFY-San Bernardino’s Student Master Agreement, located in \textit{Exhibit 5: Student Master Agreement}, requires that students attend appointments with their academic recovery teacher at least twice per week; however, students are required to attend as often as needed to ensure they are making satisfactory progress in completing learning units and mastering course content. This format provides students with a structured schedule and process that promotes good work habits and encourages personal accountability. This personalized learning model also provides teachers an opportunity to assess and provide feedback on student work at least twice each week, or more frequently if the student needs targeted assistance. Teachers and other support staff (which includes tutors, center coordinators, ELD specialists, special education providers and paraeducators, and student advisors) collectively support and coach students towards their individual goals while encouraging students to focus on areas of growth.

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\(^4\) Ibid.


c) **Focused Learning and Subject Matter Concentration**

Students typically enroll in one to three courses at a time. By allowing students time to focus on specific skills within a limited number of content areas at one time, students can approach their assignments with inquiry-based learning strategies to gain a greater depth of knowledge in each subject area. This focused approach enables students to master content thoroughly, complete coursework at their own pace without a competitive learning environment, and also acquire timely feedback from teachers so that areas of weakness can be identified and targeted assistance can be provided.

Students should be completing an average of 30 semester credits during a six-month period. However, due to the flexibility of the program, students can earn 60 credits during that same period depending on their pace. Students with external life factors may not complete the 30 credit average.

d) **Targeted Intervention**

OFY-San Bernardino’s students are matched with well-qualified teachers trained in effective instructional strategies and supported by knowledgeable administrators and staff members. Teachers are trained on specific academic interventions such as peer tutoring, peer mentoring, study skills, and study groups. Additional interventions will include:

- Positive reinforcement of incremental student behavior improvements
- Support with transportation
- Reading and math support with interventionists
- Meetings with school psychologists
- Collaborative meetings between teachers, support staff, parents, and students

Frequent, one-on-one interactions between teachers and students enables interventions to be implemented as problems arise, ensuring minimal disruption to student goals. OFY-San Bernardino’s teachers, administrators, and staff consult with local government, health, and charitable entities in an attempt to ensure that each student receives all necessary economic, social, and emotional support for learning.

e) **Small Group Instruction**

Small group instruction courses are taught by a single-subject credentialed teacher in a classroom of no more than 20 students. Students can earn credits in a variety of different classes that meet UC/CSU A-G requirements. These courses are offered four times a week each semester. Each student earns up to 5 credits for each small group instruction course passed. Small group instruction teachers are trained in current, research-based teaching practices that effectively engage students who need additional support (i.e. scaffolding, differentiated strategies) in a small learning environment. Small group instruction and tutoring is offered in a manner flexible enough for students to take advantage of the unique structure of the curriculum, and to provide additional support to students as they matriculate through their ILP.

f) **Online Learning**

Students have the opportunity to take specific courses through OFY-San Bernardino’s blended learning model using the Apex Learning platform. The computer-based component of the blended learning program offers students interactive, mastery-based lessons in English, math, science, social science, foreign language, visual and performing arts, as well as elective courses. Courses are monitored and facilitated by teachers who are skilled in providing instructional strategies specific to online learning. The program accommodates various reading levels by using a variety of instructional strategies including
spoken text, transcripts of videos, interactive dictionaries, and the ability to have the text read to the student in their primary language. A calendar located within the computer-based classroom is used to assist the students with time management by providing assignment due dates as well as pacing guides. Student progress and results is monitored by OFY-San Bernardino’s instructional staff to ensure the successful completion of each course.

\textit{g) Experiential Learning}

A goal of OFY-San Bernardino is to offer students opportunities to learn through hands-on real life experiences and cultural immersion. A major component of preparing students for college and career readiness can be achieved in part by affording access to travel and career and college exploration outside of a traditional field trip model. We partner with nonprofit organizations to provide students an exceptional selection of college tours, international travel, and community service activities. All experiential learning and community service programs are provided at no cost to all OFY-San Bernardino students. These experiential learning trips are contracted through a third party after a competitive cost analysis.

Many students attending the current OFY sites experienced limited exposure outside of their immediate surrounding communities. OFY-San Bernardino believes that students are more likely to envision themselves in, and work diligently toward, succeeding in an environment outside of what has been modeled locally through demystifying the path to success. As such, we provide opportunities for students to gain hands-on experience in multiple career sectors, visit colleges throughout California, and experience the fulfillment one has by putting in a hard day’s work to serve those in need and positively impact communities. The OFY experiential learning opportunities have proven to be truly transformative in opening our students’ eyes to vast opportunities outside of what they have experienced thus far in life. We have seen students re-engage in our program significantly after returning from these trips, which impacts their work product and academic performance in highly positive ways. Students also return from experiential learning trips with a new appreciation of what the world has to offer. Examples of past experiential learning opportunities that were available to OFY-San Bernardino’s students at no cost are briefly detailed below.

**Black Bird Farm, Philo CA**

Blackbird Farm is a nonprofit learning camp located in Philo, CA, consisting of over 240 acres of organic fruit orchards, a large organic teaching garden, and an outside learning kitchen. At Blackbird Farm students participate in Career Explorations. Students are introduced to multiple careers including construction, marketing, hospitality, and animal husbandry within the setting of an organic teaching farm. Students earn 5 elective credits while being introduced to a way of living and providing for their families’ nutrition and financial stability. Blackbird Farm staff and OFY-San Bernardino teachers work collaboratively to show students how they may transfer the skills learned at Blackbird Farm to their lives and future careers.

**Rocky Mountain Pathways Ranch, Allenspark, CO**

Rocky Mountain Pathways Ranch (“RMPR”), a non-profit organization located in Allenspark, Colorado on 56 acres near the edge of Rocky Mountain National Park, features ten-day learning camps in which students take over operations on an existing dude ranch. This experience enhances student learning by involving them in various ranch-oriented activities, which count towards community service credits. The RMPR program is designed to push students out of their comfort zone and into an area of personal growth and development.
Students care for ranch animals and learn to saddle and ride horses. Students are also educated on the nature surrounding RMPR and participate in team-building, leadership, and personal growth activities.

**Hello Havana! Cuba**

The Cuban excursion allows students to visit local homes and historic landmarks and discuss the Cuban economy with prominent locals. Participants have taken morning nature hikes, visited a vintage car garage, eaten family-style lunches on a fruit & vegetable farm and learned how to salsa. These activities provide ample opportunity for students to soak up Cuban culture and tradition, changing their lives forever.

**Viva Italia! Italy**

An 11-day trip through Venice, Florence, and Rome immerses students in Italian culture, cuisine, and history as they come face-to-face with priceless works of art, learn how to make pasta, and tour the Vatican and Roman ruins. Students explore the rich artistic heritage of Italy by taking art classes, meeting local artists and touring museums.

**Ni Hao from Beijing!**

Students from OFY-San Bernardino may embark on a once-in-a-lifetime experience in beautiful China. Students spend 14 days discovering local treasures, divulging in local cuisines, and journeying through urban cities. From the Great Wall to the Forbidden City, students gain insight on Chinese culture and its historical importance. Emphasis on full cultural immersion enables students to partake in activities including a lesson on Chinese calligraphy in Beijing, feed baby pandas at the Dujiangyan Panda Keeper Program and visit the terracotta warriors in Xi’an.

**Community Service, multiple locations**

Community service activities allows students to explore what humanitarian causes they are most passionate about and instill a strong sense of community awareness. Through Community Service Camps, students participate in a two-day overnight experience and volunteer their time with non-profits such as senior citizen homes, conservation organizations, and animal shelters.

**College Tours**

On college tours students visit various universities and colleges through a multiple day intensive and fun academic program. Participants learn what to look for when selecting a school and what to consider when visiting a potential school from size, majors, location and campus life. Students participate in workshops that walk them through the process of filling out applications, obtaining references and applying for financial aid and much more. On College Tours students are not only able to visualize themselves attending a university but also develop leadership skills, goal-setting techniques, resiliency and peer relationship development. The College Tour coursework and programming are worth 2.5 high school elective credits.

**Washington, D.C.**

OFY-San Bernardino students may participate in a six day, five-night civic immersion trip to Washington, D.C. Students study and analyze historical figures and the impacts of their
actions. Students will be encouraged to develop their own leadership styles and become advocates of change in their own community. Throughout the trip, students are asked to complete workbook activities and essays and engage in personal and group reflection about how history impacts their lives today. At the end of the trip, students are asked to reflect on and share how these lessons can inspire them to leave their own mark on history.

Our expectations for these experiential learning and community service activities include:

- Students challenging themselves to move beyond their current level of comfort
- Students engaging in introspection to become aware of their goals
- Students developing an appreciation for teamwork
- Students developing their leadership skills
- Students developing a social awareness of others, including the ability to care for one another

h) Extended Learning Time

OFY-San Bernardino understands the importance of an extended school year and will offer a minimum of 240 days of instruction. Students will be able to access teachers and instructional support Monday through Friday from 8am to 5pm along with Saturdays if the need is identified. In addition, OFY-San Bernardino will work cooperatively with the District to offer summer school courses to students.

i) Parental Involvement

OFY-San Bernardino’s plan for parental involvement aligns with the eight state priorities. OFY-San Bernardino actively seeks parental input in making decisions, including decisions that affect all student subgroups, specifically students with exceptional needs, foster youth, and English Learners. OFY-San Bernardino schedules a variety of family events throughout the year, including Back to School and Open House events, Parent-Teacher Conferences, academic and athletic banquets, EL reclassification celebrations, Senior Signing Day events, focus group meetings, and LCAP informational meetings. Ultimately, these school-wide parent outreach opportunities create positive and meaningful experiences for our students.

OFY-San Bernardino believes open communication is the key to establishing and maintaining strong partnerships with parents and guardians. Communication with families occurs regularly through emails, phone calls, quarterly newsletters, and progress reports. Written reports that include suggestions and strategies to help parents support the learning process are provided upon request. The school staff notifies parents immediately when problems including attendance, academic progress, or personal issues arise.

Our Student Advisors facilitate meetings with parents and guardians to help guide them through post-secondary and financial aid options. The Student Advisors also:

- Host Back to School Nights, Financial Aid Nights, and Family Fun Nights
- Meet with every new enrollee (no matter the age) to talk about their post high school goals
- Run Student Council events and all community events in the region
- Meet with parents to communicate student successes

According to the Spring 2018 LCAP Parent Survey, OFY-San Bernardino parents and guardians are pleased with the educational programming at the Charter School. We draw this conclusion based on the following results.
5. **Addressing the Needs of All Students**

   **a) English Learners**

   OFY-San Bernardino’s annual goals for English Learners (ELs) align with the eight state priorities and any local priorities. OFY-San Bernardino monitors student progress towards reclassification using the English Language Proficiency Assessments for California (ELPAC), or any assessment of English proficiency, as certified by the State Board. OFY-San Bernardino also monitors language progress along the language continuum to ensure students are moving into higher proficiency levels across all language domains as well as monitor EL reclassification rates, all following a designated master plan. OFY-San Bernardino follows the Options For Youth English Language Development (ELD) Plan provided in **Exhibit 6**: English Language Development (ELD) Plan to ensure continual improvement of students becoming fluent in their use of conversational and academic English across all content areas.

   **(1) Student Identification**

   The process for identifying English Learners begins upon enrollment and continues throughout the time a student is enrolled in the Charter School. OFY-San Bernardino administers the Home Language Survey upon a student’s initial enrollment. If a student is identified as an EL or a potential EL based on the results of the Home Language Survey, the EL Coach meets with the student(s) and parents/guardians to review state testing requirements (ELPAC), language services available at OFY-San Bernardino, and develop a language support plan through an ELD-focused Individualized Learning Plan.

   **(a) English Learner Assessment**

   Any student whose primary language is other than English as determined by the Home Language Survey and who has not previously been identified as an English Learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be assessed for English language proficiency within 30 calendar days after the date of first enrollment in a California public school, or within 60 calendar days before the date of first enrollment, but not before July 1 of that school year. All students who indicate that their home language is other than English and have been identified as EL or potential EL take the ELPAC. The ELPAC has three proficiency levels for the initial assessment and four proficiency levels for the summative assessment and is aligned with the 2012 California ELD Standards.

   The ELPAC consists of two separate assessments:
The ELPAC IA is used to identify students as either an English Learner, or as fluent in English. The IA testing window is year-round (July 1–June 30). The IA is administered only once during a student’s time in the California public school system based upon the results of the home language survey. The locally scored IA is the official score. The IA is given to students in grades K-12 whose primary language is not English to determine their English proficiency status. The parents or guardian(s) may request a review with the English language support team of an initial English language acquisition status for status reassignment only once between the time the student completes the IA and the administration of the subsequent SA, beginning July 1, 2018. For the ELPAC IA, students are designated as EL or I-FEP based on their overall ELPAC results in both oral and written language. There are three performance levels:

- Level 1: Minimally Developed
- Level 2: Somewhat Developed to Moderately Developed
- Level 3: Well Developed

English Language Acquisition Designation

a. If a student’s overall ELPAC results are scored as minimally to moderately developed (score of 1-449), the student is identified as an EL.

b. If a student’s overall ELPAC results are scored as well-developed (score of 450-600), the student is identified as initial fluent English proficient (I-FEP).

The EL coach and EL Specialist work in conjunction with the ELD manager and the EL coordinator to administer the ELPAC. Once the ELPAC is completed, the answer document is scored with the Local Scoring Tool (LST) through the Test Operations Management System (TOMS) and the language assessment results are entered into, StudentTrac, the student information system. The answer document and LST results are archived by the EL Coordinator in the ELD Department. After designation, the EL coach reviews the language assessment results and contacts parents/guardians for a program placement meeting. Parents/guardians are notified of their child’s language assessment results, the recommended educational program, and the process for exiting the program through the reclassification process if the student is classified as EL.

(c) Summative Assessment (“SA”)

ELs take the SA every year until they are reclassified as fluent English proficient. The SA testing window is a four-month window (February 1–May 31). The ELPAC SA is only given to students who have previously been identified as an EL-based upon the IA results, to measure how well they are progressing with English development in each of the four domains. The results are used as one of four criteria to determine if the student is ready to be reclassified as fluent English proficient, to help inform proper educational placement, and to report progress for accountability.

Both the ELPAC SA and IA are paper-pencil assessments administered in seven grade spans—K, 1, 2, 3-5, 6-8, 9-10, and 11-12. In Kindergarten and grade 1, all domains are administered individually. In grades 2-12, the test is administered in groups, exclusive of speaking, which is administered individually.

Testing times vary depending upon the grade level, domain, and individual student. The English language proficiency of all currently enrolled English Learners shall be assessed by administering the test during the annual assessment window.
Student progress toward English proficiency is based on the overall ELPAC results in one of four performance levels:

- Level 1: Minimally Developed
- Level 2: Somewhat Developed
- Level 3: Moderately Developed
- Level 4: Well Developed

The four ELPAC levels shown in the table below describe what students at each performance level on the ELPAC can typically do in English.

<table>
<thead>
<tr>
<th>ELPAC Level</th>
<th>ELPAC Gauge</th>
<th>What Students Can Typically Do at Each Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>LEVEL 4</td>
<td></td>
<td>Students at this level have <strong>well developed</strong> English skills.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• They can usually use English to learn new things in school and to interact in social situations.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• They may occasionally need help using English.</td>
</tr>
<tr>
<td>LEVEL 3</td>
<td></td>
<td>Students at this level have <strong>moderately developed</strong> English skills.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• They can sometimes use English to learn new things in school and to interact in social situations.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• They may need help using English to communicate on less-familiar school topics and in less-familiar social situations.</td>
</tr>
<tr>
<td>LEVEL 2</td>
<td></td>
<td>Students at this level have <strong>somewhat developed</strong> English skills.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• They usually need help using English to learn new things at school and to interact in social situations.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• They can often use English for simple communication.</td>
</tr>
<tr>
<td>LEVEL 1</td>
<td></td>
<td>Students at this level are at a <strong>beginning stage</strong> of developing English skills.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• They usually need substantial help using English to learn new things at school and to interact in social situations.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• They may know some English words and phrases.</td>
</tr>
</tbody>
</table>

These performance indicators measure student progress toward meeting the California English Language Development Standards, which were developed to provide guidelines to necessary linguistic instructional support, for students to engage with and master the new Common Core standards.

The table below shows how the four ELPAC levels relate to the three proficiency levels described in the ELD Standards.

<table>
<thead>
<tr>
<th>ELPAC Levels</th>
<th>Level 1</th>
<th>Level 2</th>
<th>Level 3</th>
<th>Level 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>ELD Standards Proficiency Levels</td>
<td>Emerging—Requires substantial linguistic support</td>
<td>Expanding—Requires moderate linguistic support</td>
<td>Bridging—Requires light linguistic support</td>
<td></td>
</tr>
</tbody>
</table>
Element 1: Description of Educational Program

OFY-San Bernardino uses a Structured English Immersion (SEI) Model that is designed specifically for students enrolled in an Independent Study and Blended Learning Instruction Program. The SEI Model involves multiple components, including Independent Study Integration, English Language Support Professionals (ELSPs), Designated Instruction, Direct Instruction Classroom Format, and Student Assessment and Placement. The ELSPs, which include EL Coaches, Regional EL Coaches, and EL Specialists, assist in the development of independent study curriculum, small group instruction curriculum, and instructional strategies (e.g. specially designed academic instruction in English [SDAIE]) to support OFY-San Bernardino students designated as English Learners. The ELSPs provide professional development to school staff to increase instructional effectiveness, student and staff engagement, and ensure compliance with state EL regulations and English Language Development (ELD) standards, including the introduction, implementation, and integration of Proficiency Level Descriptors in curriculum development and instructional training.

For designated instruction, the ELD curriculum is developed by the ELD Department, using backward design protocols with the ELD standards that also incorporate language learning principles. The department develops ELD standards-based thematic units using the five basic language learning principles:

1. Communicatively Purposeful: building toward proficiency
2. Culturally Focused: developing interculturality
3. Intrinsically Interesting: relevant to learners
4. Cognitively Engaging: requiring critical thinking skills
5. Standards-Based: reflecting goals for learning the language

These culturally-relevant standards-based themes provide the framework and focus to design purposeful integrated performance-tasks and assessments that build across the three modes of communication so that the tasks are interrelated. The language proficiency performance on these assessments is measured using ELD standards-based rubrics developed from the ELD Framework. Learning targets, lessons, use of authentic resources, vocabulary development, formative assessments, and an elicitation-focused corrective feedback loop are all sequenced to fill out the framework of the units creating a cohesive and effective system of language instruction.

The curriculum developers, embed ELD standards within the curriculum, and ensure that EL supports using SDAIE strategies are available to students on all levels. ELs receive designated language intensive instruction from ELSPs that focus on developing English academic proficiency across content areas using the ELD standards as the primary component in language objectives. The ELSPs ensure multiple opportunities for language interaction across all four language domains are present through purposeful and engaging tasks designed to build language proficiency along with content knowledge. ELs also have access to the A-G curriculum, and integrated support is provided by teachers and ELSPs whenever an EL is enrolled in any course at OFY-San Bernardino.

In addition, ELs at OFY-San Bernardino receive support from an English Language Support Team (ELST) comprised of multiple staff members, including teachers, small group instructors, online facilitators, intervention specialists, tutors, and ELSPs (i.e. ELD Specialists and EL Coaches). The overall level of support a student needs is evaluated through the Renaissance STAR assessments in ELA and math, the ELPAC, course performance, and the reclassification process. These scores and observations are used to
determine course placement and support language acquisition as EL students are a diverse group of learners who need differentiated support based on their individual linguistic needs.

For Long-term English Learner (LTEL) students, language instruction is more focused on learning how to use and comprehend more complex and nuanced English language components, beyond conversational English, like syntax, implied meanings, or content and genre-specific academic texts. LTEL instruction also emphasizes literacy development combined with writing development to move students out of the intermediate English language use range toward proficiency and reclassification through systematic and sustained instruction and practice alongside the use of the Achieve3000 and FastForWord reading and vocabulary building programs. Student performance on ELD assessments, measured using the ELD standards-based rubrics, is recorded and reviewed to monitor student growth through proficiency levels along each standard through the Project ELL program. This allows EL Specialists and ELL Coaches to review performance each month, and determine which instructional strategies are proving to be most effective, which standards students are performing well on, and which standards students are struggling to master, allowing ELD instruction to constantly evolve to meet the needs of the students. OFY-San Bernardino ensures all EL students’ needs are continuously met through needs-responsive instruction that aligns with EL student experiences and characteristics. This needs-responsive approach aligns with the four guiding principles of the California English Learner Roadmap.

For English Learners who also receive special education services, the special education staff and the ELSPs carefully monitor students’ progress and evaluate students’ response to the program within the first 30 days of enrollment. This is done through curriculum-based assessments, Renaissance STAR scores, academic work performance evaluation, and student and parent/guardian feedback. On or before the first 30 days of enrollment, an IEP meeting is held to discuss the students’ progress and response to the program. The previous IEP is reviewed, including any current ELD goals, and the ELSP/IEP team decides to either adopt the previous IEP or develop and implement a new IEP with more appropriate supports and updated ELD goals and linguistically appropriate assessments. Students receive individualized, intensive instruction and interventions from their special education teacher in addition to supports and instruction provided by their English language specialist. The special education teacher works collaboratively and closely with the English language specialist to ensure instructional and assessment methods are aligned so students are supported in reaching goals and making academic progress. If, at any time, the student begins to struggle with their academic performance, social-emotional health, or behaviors, an IEP Progress Review is held to further examine the difficulties and develop a revised plan of supports and/or services to improve student outcomes and progress to IEP linguistic goals.

All ELs are involved in the planning, implementation, and progression of their educational program through the design and implementation of the ELD-focused Individualized Learning Plan. ELs who enroll in independent study courses work between four to six hours per day at home and attend appointments with the teacher at an OFY-San Bernardino’s school site. Self-guided assignments are completed in student activity workbooks (SAWs). Reading and writing is the primary focus of at-home, independent study, and ELs use teacher and ELST-informed ELD strategies to complete self-guided assignments per the student’s ILP. Direct instruction focuses on speaking and listening skills and prioritize teacher-student interactions.

In these sessions, ELs work closely with the teacher and the ELSP to complete performance tasks and receive feedback. Students who require substantial linguistic support, receive intensive one-on-one language support from ELSPs and may also be enrolled in the Rosetta Stone program to accelerate the acquisition of conversational and social English in addition to academics. The time spent with instructors allows students to gain knowledge of content, improve communication skills, and build on prior knowledge to improve understanding.
In addition to independent study courses, ELs are encouraged to enroll in any course offered by OFY-San Bernardino. Computer-based courses are adaptive and adjust to meet the needs of the individual EL, and hybrid courses combine the adaptability of computer-based courses with the level of student-teacher interaction and support found in independent study courses. Finally, ELs are encouraged to enroll in small group instruction courses. These courses are designed to be inclusive of ELs and provide them with multiple avenues for language development, including:

- Oral language development and competency through peer interaction
- Explicit and contextualized vocabulary instruction
- Personalized lesson plans based on frequent assessment data

It is important to note that the practices of simultaneous translation or the removal of ELs from the classroom for a separate translation of the instructional lesson are not permitted at OFY-San Bernardino. In accordance with ELD standards, supports or modifications provided to students are not be lower than the levels of achievement required to pass a course nor reduce the course’s rigor. The ELD standards do not replace the Common Core State Standards for any subject.

(a) Goals and Monitoring

OFY-San Bernardino’s annual goals for English Learners (ELs) align with the eight state priorities and any local priorities. OFY-San Bernardino monitors student progress towards reclassification using the ELPAC, or any assessment of English proficiency, as certified by the State Board. OFY-San Bernardino also monitors language progress along the language continuum to ensure students are moving into higher proficiency levels across all language domains as well as monitor EL reclassification rates, all following the Options For Youth English Language Development (ELD) Plan provided in Exhibit 6: English Language Development (ELD) Plan to ensure continual improvement of students becoming fluent in their use of conversational and academic English across all content areas.

Both teachers and school leadership monitor student progress toward reclassification. Teachers use Renaissance STAR scores as a baseline before beginning instruction and as a progress-monitoring tool to track standards-mastery throughout the course. ELD standards progress within designated ELD instruction is assessed and monitored through standards-based rubric aligned with an i+1 model. Student progress toward standards mastery is monitored through the tool—ProjectELL. Other forms of progress monitoring include the use of standardized assessments such as the CAASPP as well as common assessments for all internal coursework. This data is used by teachers and school leadership to inform internal stakeholders about the effectiveness of the EL program and to ensure that OFY-San Bernardino is providing the highest level of support to its EL population.

(3) Reclassification

OFY-San Bernardino reclassifies ELs as fluent English proficient based on the criteria that are identified in California Education Code Section 60810 and recommended by the State Board of Education. The minimum criteria to be considered for reclassification are:

- English proficiency on the ELPAC: Current Interim guidance from the SBE suggests an overall score of 3 or higher and accompanying composite scores of 3 or higher (scale 1-4)
- A score of Basic or higher on district-adopted, standards-based ELA assessments or standards-based common final ELA exam
- A study by OFY-San Bernardino’s ELSPs to compare the performance of the students in basic skills against an empirically established range of performance in basic skills based upon the performance of English proficient students of the same age; this analysis may include:
- Evaluation of student’s listening, speaking, reading, and writing skills using a proficiency rubric
- Authentic student work samples, including writing samples
- Teacher evaluation
- Parent or guardian consultation and opinion

To determine an EL’s reclassification eligibility, the ELSP reviews the following:

- ELPAC annual assessment results
- CAASPP scores
- Renaissance STAR scores
- Student performance of written and oral English language fluency according to provided rubrics and based upon observable student interaction with instructional staff, peers, and support staff, and
- Current course grades and academic disposition

If the ELST deems an EL as not ready for reclassification, the student’s ILP is reviewed and updated to include continuous targeted English language interventions to address specific domains of concern. English Learners reclassified as Redesignated Fluent English Proficient (RFEP) have demonstrated their ability to perform successfully in core academic areas without support from the ELSP.

(a) Ensuring Continued Success of RFEP Students

OFY-San Bernardino monitors all RFEP students for a minimum of four years, as required by State and Federal guidelines, and provides additional assistance, as needed. As part of the monitoring process, RFEP students are offered a minimum of one ELD block time a week as needed for language support, and more support can be reinstated by teacher recommendation, parent request, or if the RFEP students are scoring below minimal reading threshold scores on the Renaissance STAR assessment. If an RFEP student’s performance declines, interventions are provided to ensure that the student reaches and maintains grade-level proficiency. The EL support team develops an ILP to decide which interventions and academic supports are necessary. The RFEP students’ progress and performance is reviewed at the end of each reporting period to ensure appropriate support systems are implemented.

(4) Staffing

OFY-San Bernardino meets the needs of ELs by recruiting, hiring, and training highly-qualified staff members who have the specialized knowledge required to teach ELs. OFY-San Bernardino requires all teachers—including out-of-classroom teacher positions—to possess an appropriate authorization to teach ELs. The requirement is met by completing coursework leading to a teaching credential with appropriate authorization(s) or by passing exams approved by the California Commission on Teacher Credentialing. An EL authorization allows the teacher to provide ELD and SDAIE instruction to ELs, with a preference for staff members possessing an ELD single subject credential.

(5) Parent Involvement

Parents and guardians of students are invited to the school sites for a yearly Bilingual Scholars Night. School staff conducts outreach via phone calls, emails, and letters. Bilingual Scholars Nights highlight the support offered to students, current student projects, and how the English Learner program functions at OFY-San Bernardino. A yearly Celebration Ceremony and an annual Bilingual Scholars Awards Banquet, are held to acknowledge students that have been reclassified as well as those that have made substantial progress in their English language acquisition. The banquet attendees include staff members,
parents/guardians, siblings, and peers. Students recognized by their teachers receive certificates or plaques to commemorate their achievement in demonstrating English language proficiency.

b) Special Education Students

(1) Services to Students with Disabilities

OFY-San Bernardino recognizes the importance of providing educational opportunities to all students regardless of the special needs they face. A smaller and more intimate learning environment, personal connections with the general and special education staff, clear expectations, the ability to work on fewer classes at one time, and a less distracting environment have all been identified as contributing factors to the success of students with disabilities.

OFY-San Bernardino complies with all applicable State and Federal laws regarding students with special needs, including, but not limited to, Section 504 of the Rehabilitation Act of 1974, the Americans with Disabilities Act (ADA), the Americans with Disabilities Amendments Act, the Individuals with Disabilities Education Improvement Act (IDEA), and all applicable California Education Code sections.

All students have access to OFY-San Bernardino, and no student shall be denied admission or counseled out of OFY-San Bernardino due to the nature, extent, or severity of his or her disability or due to the student’s request for, or actual need for, special education services.

OFY- San Bernardino is a local education agency (LEA) member of the East San Gabriel Valley Special Education Local Plan Area (“SELPA”), and as such must take steps to ensure that all children with disabilities enrolled in OFY-San Bernardino receive special education and designated instruction and services in conformity with their Individualized Education Programs (IEPs) and in compliance with IDEA (20 U.S.C. § 1400 et seq.) and all applicable State and Federal law (Cal. Ed. Code § 47646(a)).

OFY-San Bernardino is solely responsible for its compliance with IDEA, Section 504, the Americans with Disabilities Act (ADA), and the Americans with Disabilities Amendments Act. The facilities to be utilized by the Charter School are accessible for all students with disabilities.

(2) SELPA Representation

OFY-San Bernardino understands that it shall represent itself at all SELPA meetings as an LEA. OFY-San Bernardino agrees to adhere to the policies and requirements of the SELPA Local Plan, including utilizing the SELPA’s approved web-based IEP system. OFY-San Bernardino provides copies of any special education records to the District within seven (7) days of a written request from the District. OFY-San Bernardino or its designee shall also meet with the District’s Director of Special Education or designee on a regular basis to review OFY-San Bernardino’s policies and practices regarding special education. OFY-San Bernardino cooperates fully with the District’s oversight of OFY-San Bernardino relative to special education matters.

(3) Section 51745(c) and Independent Study

Although the California Education Code requires that the IEP allows for participation, no student is denied enrollment in OFY-San Bernardino due to their disability. If the statement is not included in the current IEP, OFY-San Bernardino’s IEP team will convene and note that the student will participate in independent study.

No students are denied enrollment in OFY-San Bernardino due to their disability. If the statement is not included in the current IEP, OFY-San Bernardino’s IEP team will convene and note that the student will participate in independent study. All students will be enrolled, regardless of their disability, and
comparable services will be offered during the first 30 days of enrollment. An IEP meeting will be held in the first 30 days of enrollment to review the student’s progress, appropriateness of placement, and the IEP team will determine if additional services are needed.

(4) Services for Students under the IDEA

The following description regarding how special education and related services is proposed by OFY-San Bernardino for the sole purpose of providing a reasonably comprehensive description of the special education program in the Charter Petition and is not binding on the District.

OFY-San Bernardino agrees to provide all special education and related services to eligible students attending OFY-San Bernardino. If OFY-San Bernardino is unable to provide the services using its own employees, then OFY-San Bernardino will contract with appropriate outside agencies to provide all required services. OFY-San Bernardino also agrees to be solely responsible for child find, assessment, determining eligibility, developing and implementing IEPs, providing all placement and services, and responding to parent concerns and complaints.

OFY-San Bernardino provides special education instruction and related services in accordance with the IDEA, California Education Code requirements, and applicable policies and practices of the SELPA. OFY-San Bernardino adheres to SELPA policies and procedures and utilizes SELPA forms in seeking out, identifying, and serving students who may qualify for special education programs and services and for responding to record requests and parent complaints, and maintaining the confidentiality of student records.

Based on performance evidence of students in schools using OFY-San Bernardino’s model, the majority of special education students are likely to be classified as non-severe, which means that most disabilities are categorized as Other Health Impaired, Specific Learning Disability, or Emotionally Disturbed, and require less than 50 percent of the school day receiving special education services. OFY-San Bernardino ensures that a full continuum of services based upon a student’s IEP goals and objectives is provided.

Special education students are eligible to fully participate in the educational and extracurricular programs available to all students. Should a student require transportation, as noted in their IEP in order to receive Free Appropriate Public Education (FAPE), OFY-San Bernardino will provide such transportation.

OFY-San Bernardino agrees to provide all special education and related services to eligible students attending OFY-San Bernardino. If OFY-San Bernardino is unable to provide the services using its own employees, then OFY-San Bernardino will contract with appropriate outside agencies to provide all required services. OFY-San Bernardino also agrees to be solely responsible for child find, assessment, determining eligibility, developing and implementing IEPs, providing all placement and services, and responding to parent concerns and complaints that it is required to be responsible for under Federal and State law.

(a) Staffing

All special education services at OFY-San Bernardino are delivered by individuals or agencies qualified to provide special education services as required by the California Education Code and the IDEA. OFY special education staff participate in area meetings with the special education team and in yearly special education meetings with all areas combined. Meetings include legal updates, compliance information, and professional development training to improve services and student performance. In addition, staff are encouraged to participate in professional development trainings within their SELPA.
OFY-San Bernardino is responsible for the hiring, training, and employment of staff necessary to provide special education services to its students, including, without limitation, special education specialists and paraprofessionals. OFY-San Bernardino ensures that all special education staff hired or contracted by OFY-San Bernardino are qualified pursuant to District and SELPA policies, as well as meet all legal requirements. OFY-San Bernardino is responsible for the hiring, training, and employment of itinerant staff and/or contracting with a non-public agency necessary to provide special education services to OFY-San Bernardino’s students, including, without limitation, speech therapists, occupational therapists, behavioral therapists, and school psychologists.

Specific professional development for identifying, supporting, and evaluating the progress of special education students are provided by OFY-San Bernardino and include training on Response to Intervention (RtI), Student Study Team (SST), Individualized Transition Planning, and Behavioral Intervention Planning.

- **RtI**—Professional development in RtI assist personnel in evaluating the progress of all students through research-based educational methodologies that address foundational, symbolic, and conceptual learning
- **Student Study Team (SST)**—OFY-San Bernardino continues to implement an SST process. All school-based personnel will receive professional development on the SST process and how to strategically implement interventions within the general education setting and curriculum. Although the SST is a general education function, the school psychologist is involved from the initial SST to assist with developing a plan of student support
- **Individualized Transition Planning**—Personnel will receive professional development in college and career transition
- **Behavior Intervention Plans**—Staff will receive professional development in the appropriate implementation of Behavior Intervention Plans and how student behavior is manifested in the school setting

(b) **Notification and Coordination**

OFY-San Bernardino follows SELPA policies for responding to the implementation of special education services. OFY-San Bernardino has adopted and implemented SELPA policies relating to all special education issues and referrals.

OFY-San Bernardino tracks students who enroll, become eligible, ineligible, and/or leave OFY-San Bernardino to return to the District. The Charter School provides the District with a compliance report each month with this information. Additionally, OFY-San Bernardino shall notify the superintendent of the District or designee of the student’s last known address within 30 days if a student is expelled or leaves the charter school without graduating or completing the school year for any reason.

OFY-San Bernardino also meets with the District’s Director of Special Education or designee on a regular basis, with the schedule to be set by the District, to review OFY-San Bernardino’s policies and practices regarding special education. The Charter School cooperates fully with the District’s oversight of OFY-San Bernardino including relative to special education matters.

(c) **Assessments**

The term “assessments” have the same meaning as the term “evaluation” in the IDEA, as provided in Section 1414, Title 20 of the United States Code. OFY-San Bernardino determines what assessments, if any, are necessary and arrange for such assessments for referred or eligible students in accordance with
applicable law. The Charter School obtains parent or guardian consent to assess the OFY-San Bernardino’s students.

(d) Identification and Referral

OFY-San Bernardino has the responsibility to conduct Child Find, Search and Serve, and refer and work cooperatively to locate students who have or may have exceptional needs that identify the students as eligible for special education services. OFY-San Bernardino implements SELPA policies and procedures to ensure timely identification and referral of students who have, or may have, such exceptional needs. A student is referred for special education only after the resources of the regular education program have been considered, and where appropriate, utilized.

The OFY-San Bernardino Board has approved a Child Find policy provided in Exhibit 7: Child Find Policy. The policy adheres to the SELPA procedures to identify all students who may require an assessment to consider special education eligibility. Child Find activities are conducted so that students who have or are suspected of having a disability and needing special education related services are appropriately identified and if necessary referred for evaluation in accordance with state and federal law.

Child Find is also conducted through Student Study Team (SST) meetings, the RtI process, case management meetings, screening programs, outside agencies, and/or teacher or parent referrals. Child Find activities include literature provided to parents at enrollment to explain the RtI process and the special education services available to students at Options For Youth. In addition, posters are up in the school reminding staff that there is a formal process in place to identify students with potential special needs OFY has a Student Study Team in place as part of the RtI process as well and students may self-refer or be referred by a parent, teacher or other staff member. Several sources for referrals exist. Every student who enrolls in OFY-San Bernardino takes a diagnostic assessment to assist with developing the student’s learning plan. Should a student score low in the diagnostic assessment, interventions and additional supports will be provided. The student is monitored for additional action if necessary.

As part of the Child Find process, the multidisciplinary SST composed of a school psychologist as a case manager, special education specialist, general education teacher, parent, student, if appropriate, and as necessary, other professionals, meet to review the student’s strengths, weaknesses, areas of need, and to develop applicable interventions.

If the student fails to progress through the three tiers of RtI, an assessment is conducted in all areas of suspected disability by qualified professionals per the IDEA. An assessment report is developed, and parents receive a copy of the report. The assessment report is shared at the IEP team meeting, and the team members determine whether or not the student is eligible. To be eligible, the student must have one of thirteen qualifying disabilities, and the disabilities must be adversely impacting educational performance. A student shall be referred for special education instruction and services only after the resources of the regular education program have been considered and, where appropriate, utilized (Education Code Part 30, Chapter 4, Article 1, Section 56303). If a student is deemed eligible, the IEP team develops goals and objectives that guide the student’s education at OFY-San Bernardino. Should a parent, teacher, or student request an initial assessment for special education services, OFY-San Bernardino shall comply with and complete the request adhering to all required timelines.

As part of the referral assessment and special education process, the IEP team assesses all areas of suspected disabilities, develops and considers the present levels of performance, develops annual goals for the student for any areas which are identified of concern or below expected performance in present
levels, determines services needed to meet those goals, and describes what accommodations and modifications the student will need to demonstrate satisfactory progress.

(e) IEP Meetings

OFY-San Bernardino shall arrange and provide prior written notice when holding an IEP meeting, and IEP team members shall comply with State and Federal law. OFY-San Bernardino shall be responsible for having the following individuals in attendance at the IEP meetings: an administrator or designee with appropriate administrative authority as required by the IDEA, the student’s parent or guardian, the student’s special education specialist, any other related service provider, the student’s general education teacher, the student, if appropriate, and other OFY-San Bernardino representatives who are knowledgeable about the regular education program at OFY-San Bernardino and/or about the student. The Charter School shall arrange for the attendance or participation of all other necessary staff that may include but is not limited to, an appropriate administrator to comply with the requirements of the IDEA, and shall document the IEP meeting as well as provide notice of parental rights.

(f) IEP Development

OFY-San Bernardino understands that the decisions regarding eligibility, goals and objectives, services, placement, program, and exit from special education shall be the decision of the IEP team and parent or guardian approval, pursuant to the IDEA. Services, placements, and programs shall be provided to all eligible students enrolled in OFY-San Bernardino in accordance with the policies, procedures, and requirements of Federal law, State law, and District and SELPA policies.

(g) IEP Implementation

OFY-San Bernardino shall be responsible for the implementation of the IEP. As part of this responsibility, OFY-San Bernardino shall provide parents with reports on the student’s progress towards their IEP goals and objectives as provided in the student’s IEP. These reports are provided as frequently as report cards are provided for OFY-San Bernardino’s non-special education students. OFY-San Bernardino shall also provide all home-school coordination, information exchange, as well as all curriculum, classroom materials, classroom modifications, and assistive technology.

(h) Interim and Initial Placements of New Charter School Students and Transfer Out of the Charter School

OFY-San Bernardino complies with California Education Code Section 56325 about students transferring to OFY-San Bernardino within the academic school year. In accordance with California Education Code Section 56325(a)(1), students who enroll in the Charter School from another school district, whether within or outside of California, shall be provided a FAPE, including services comparable to those described in the previously approved IEP, in consultation with the parent, for a period not to exceed 30 days through a 30-day administrative placement, by which time OFY-San Bernardino shall adopt the previously agreed upon IEP or shall develop, adopt, and implement a new IEP that is consistent with Federal and State laws.

Any student who transfers out of OFY-San Bernardino and returns to their district of residence or another school will receive their school records, a summary of progress towards IEP goals, up-to-date documentation of work completed including course credits. All IEP records and documentation will be transferred to the new school upon receipt of a records request.

In accordance with Education Code Section 56325(a)(2), in the case of an individual with exceptional needs who has an IEP and transfers into OFY-San Bernardino from the authorizing district, OFY-San Bernardino shall continue, without delay, to provide services comparable to those described in the existing approved
IEP, unless the parent and OFY-San Bernardino agree to develop, adopt, and implement a new IEP that is consistent with Federal and State law. Within those first 30 days, OFY-San Bernardino will conduct an IEP meeting to ensure that the services meet the needs of the student’s IEP goals and objectives and in consideration of the unique blended program of the Charter School.

(i) Non-discrimination

It is understood and agreed that all students will have access to OFY-San Bernardino and no student shall be denied admission or counseled out of OFY-San Bernardino due to the nature, extent, or severity of the student’s disability or due to the student’s request for, or actual need for special education services.

(j) Parent or Guardian Concerns and Complaints

OFY-San Bernardino follows State, SELPA policies for responding to parental concerns or complaints related to special education services. OFY-San Bernardino’s principal shall receive any concerns raised by parents or guardians regarding related services and rights and will work with the special education staff to determine the best plan of action to resolve the issue. The authorizing District will be notified of any formal complaints. OFY-San Bernardino’s designated representative shall investigate, respond to, and address the parent or guardian concern or complaint consistent with District policies.

(k) Due Process Hearings

OFY-San Bernardino may initiate a due process hearing or request for mediation concerning a student if it determines such action is legally necessary or advisable. If a student’s parents or guardians file for a due process hearing or request mediation, OFY-San Bernardino shall follow the Federal, State, and SELPA procedures for addressing the filing of a due process hearing.

(l) Special Education Program

OFY-San Bernardino intends to serve students with disabilities based on the needs and the IEP services of the students. Services may be provided by individual instruction, small group pull out push in model (during general education instruction) and direct instruction collaboration with the provision of reasonable supplementary supports and services and/or modifications and accommodations. Special education specialists will collaborate with the district for students that need intensive services.

The special education specialist and other related-services providers will maintain communication with the general education teacher, student, and parent to ensure the student is progressing both in their IEP and ILP goals. The general education teacher, special education specialist, and other related-services providers communicates on a weekly basis to plan interventions, monitor progress, and discuss achievements. The student meets with the special education specialist and/or related-services provider at OFY-San Bernardino’s school site based upon a specified appointment time. Additionally, the school psychologist and special education specialist monitor student performance, the student’s previous special education status, previous test scores, and assist with implementing interventions to address concerns. The special education specialist collects and monitors the student’s performance data to assist with analyzing the effectiveness of the interventions and to determine additional action when needed.

For students receiving specialized academic instruction, the special education specialist uses OFY-San Bernardino’s curriculum to address the goals and objectives written in the student’s IEP. Based on the student’s needs, services are provided individually, in a small group (two or three students) pull-out model, or direct instruction through a collaboration model.

Individual student progress is evaluated on a monthly and quarterly basis and measured by compliance with the Student Master Agreement (signed at enrollment, specifying agreement to the policies,
education model, and programs of the school), the IEP, attendance, credit completion, and participation in State standardized tests. Each student’s IEP goals are monitored through charting, observation, and assessments. Student progress regarding IEP goals are shared with parents on at least a quarterly basis and as provided by the IEP. In the case where a student with disabilities has difficulty progressing in OFY-San Bernardino’s program, an IEP meeting is scheduled to discuss further interventions and supports with the intention of improving student credit accumulation or progress towards IEP goals.

Annual IEP meetings and triennial IEP meetings are scheduled with the parent, special education staff, general education staff, and an administrative designee to ensure that everyone has meaningful participation in the IEP process. The student’s case manager is responsible for monitoring the provision of all primary and related services. The case manager assures that all service providers submit progress reports towards goals and objectives during the required reporting periods. Quarterly progress reports are provided to the parent and student to communicate the student’s progress towards meeting their IEP goals. The special education staff tracks special education student performance and provides yearly summaries for the special education program at OFY-San Bernardino. This information assists the leadership staff and the special education staff in adjusting program support and identifying successful intervention programs. Data collected includes monthly work completion, Renaissance STAR exam scores, attendance rates, length of stay in OFY-San Bernardino, graduation rates, and State standardized test results. Students who were previously identified as special education students but are no longer eligible for services will be offered additional support by the general education staff and the special education staff. Should a parent request reinstatement of special education services or should staff believe that there is a suspected area of disability, an assessment, and an initial IEP meeting will be held.

The special education specialist or school psychologist, if the student has related service only, will share primary responsibility for ensuring appropriate interventions are applied, monitored, and adjusted so that adequate progress is made by the student. OFY-San Bernardino provides all services for students with disabilities in conformity with their IEP as well as in compliance with the IDEA (20 U.S.C. § 1400 et seq.) and all applicable State laws.

If a student transfers out of the Charter School, OFY-San Bernardino will forward all student files to the school, district, or county requesting the student files within the required records request timelines.

(5) Section 504, the Americans with Disabilities Act, and the Americans with Disabilities Amendments Act

OFY-San Bernardino recognizes its legal responsibility to ensure that any qualified student with a disability shall, on the basis of disability, not be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program of OFY-San Bernardino. Any student who has an objectively identified disability which substantially limits a major life activity, including, but not limited to learning, is eligible for accommodation by OFY-San Bernardino.

OFY-San Bernardino complies with Section 504 as it relates to students with disabilities by conducting assessments, determining eligibility, developing and implementing Section 504 Plans, providing all placement, services, and accommodations, and responding to parent concerns and complaints. OFY-San Bernardino uses the District and SELPA Section 504 Procedural Safeguards. When a student qualifies for and receives an annual Section 504 support package, students and parents will receive a copy of their Parental Rights that inform them of their rights under Federal and State laws as well as critical information they can use to assist in accessing support for the student.
A 504 team was assembled by the administrative designee and includes the parent or guardian, the student, and other qualified persons knowledgeable about the student. The 504 team reviews the student’s existing records—including academic, social, and behavioral records—and is responsible for determining whether an evaluation for 504 services is appropriate. If the student has already been evaluated under the IDEA but was found ineligible for special education instruction or related services under the IDEA, those evaluations may be used to help determine eligibility under Section 504. The student evaluation is carried out by the 504 team, which evaluates the nature of the student’s disability and the impact on the student’s education. This evaluation will include consideration of any behaviors that interfere with regular participation in the educational program and activities. The 504 team may also consider the following information in its evaluation:

- Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel
- Tests and other evaluation materials, including those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient
- Tests are selected and administered to ensure that when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student’s aptitude, achievement level, or whatever factor the test purports to measure, rather than reflecting the student’s impaired sensory, manual, or speaking skills

The final determination of whether the student will or will not be identified as a person with a disability is made by the 504 team in writing, and written notice is given to the student’s parent or guardian in their primary language along with the procedural safeguards available to them. If during the evaluation, the 504 team obtains information indicating possible eligibility of the student for special education per the IDEA, referral for assessment under the IDEA will be made by the 504 team.

If the student is found by the 504 team to have a disability under Section 504, the 504 team shall be responsible for determining what, if any, accommodations or services are needed to ensure that the student receives a FAPE. In developing the 504 Plan, the 504 team shall consider all relevant information utilized during the evaluation of the student; the 504 team shall draw upon a variety of sources, including, but not limited to, assessments conducted by OFY-San Bernardino’s professional staff.

The 504 Plan describes the Section 504 disability and any program accommodations, modifications, or services that may be necessary. All 504 team participants, parents, guardians, teachers, and any other participants in the student’s education, including substitutes and tutors, must have a copy of each student’s 504 Plan. The school administrator ensures that teachers include 504 Plans with lesson plans for short-term substitutes and the school administrator reviews the 504 Plan with long-term substitutes. A copy of the 504 Plan shall be maintained in the student’s file. Each student’s 504 Plan is reviewed at least once per year to determine the appropriateness of the Plan, needed modifications to the plan, and continued eligibility.

6. **Professional Development**

OFY-San Bernardino believes in the importance of providing ongoing professional growth opportunities for its staff and credentialed teachers. Professional development offerings, founded in research-based best practices, are designed to support staff in building their capacity to provide the most effective instructional program to its diverse student population. OFY-San Bernardino is committed to:
• Creating a culture of growth and improvement for all staff in order to benefit student achievement in a non-classroom based environment
• Using data-driven methods to analyze and make PD offering decisions
• Training all new teachers using a module based training program to ensure consistency in teacher practice including information about our school model, student population, curricular and instructional practices, accountability measures, best practices of effective teaching in this non-classroom based environment, support services, and other aspects of the charter
• Providing instructional professional development to support the effective implementation of Common Core and Next Generation Standards and corresponding state assessments for CAASPP
• Offering professional development events throughout the school year in a variety of group sizes and settings including in-person and virtual
• Supporting teachers in providing the optimal support for all students including LCAP subgroups to be successful in our instructional programs
• Training teachers on the charter’s curriculum for all program models including, but not limited to, independent studies, small group instruction, and online learning platforms
• Providing training and coaching in effective instruction in the independent study model including, but not limited to, student pacing, feedback, accountability, checks for understanding, and study skills for students
• Providing training and coaching in effective instruction in the small group instruction environment including, but not limited to, lesson planning, learning targets, student engagement, classroom culture, feedback, checks for understanding, student grouping, and effective teaching strategies
• Providing training and coaching in effective instruction in an online learning platform for courses including, but not limited to, student pacing, feedback, accountability, checks for understanding, and study skills for students
• Providing instructional coaching to support teaching and learning in the classroom and at the independent studies desk to increase teachers’ capacity in their positions
• Observing teachers to provide feedback for growth
• Training teachers in new policies, legislation, and initiatives to maintain compliance by coordinating with all necessary departments, including but not limited to, Chemical Hygiene Plan, Mandatory Reporting, Health and Safety, Threat Assessment
• Developing the leadership team, including principals and assistant principals, to create more effective instructional and operational leaders in the field
• Developing the instructional coach team by providing them with continuous learning opportunities
• Training curriculum developers in creating curriculum that is optimal for our school programs and strategies to support the learning needs of our student population
• Offering additional professional development opportunities off site including conferences and workshops
• Holding regular in-service staff meetings to receive interdepartmental support and provide consistent opportunities for leadership to work with all staff
• Creating professional learning communities for staff of similar subject matter to meet regularly to focus on student growth and achievement
• Providing teachers with access to subject matter experts to support the use of OFY San Bernardino’s curriculum to the best benefit of the students
• Modifying professional development opportunities based on the needs of students and staff
• Ensuring all staff attend sexual harassment and discrimination training
• Training staff on suicide prevention policies and mandated reporting
• Training staff on interacting with students and families involved with gangs
• Training staff on school safety measures
• Holding regular site level meetings to provide information and instruction on new policies that affect student learning
• Offering monthly professional development offerings including, but no limited to: Professional Book Studies, Topical PD collaborative discussions, and PLC’s.

OFY-San Bernardino is committed to the ongoing development of its staff at all levels and in all positions. Professional development is considered a continuous cycle with the goal of positively affecting student achievement and increasing teacher efficacy. From large scale PD events, to one-on-one coaching, and small group PLCs, professional development is woven into the school culture. Credentialed staff are supported by subject matter PD events and opportunities to support their instructional expertise. They also have access to instructional coaching at the site level. In addition to credentialed staff, classified staff are provided opportunities to grow in their positions and skill sets.

All staff participate in a detailed on-boarding process to ensure they are prepared and acclimated to the school culture. After completing new-hire paperwork with a member of the Human Resources Department and/or a member of the charter leadership team, new staff meets with the instructional coach to receive further training on expectations. This includes, but is not limited to, rules, dress codes, contact information for site specific leadership staff, communication procedures, and information on their further training. They then receive extensive training in a group setting and through observations and shadowing programs, giving them months of support to ensure they will be effective members of the charter team. All new staff participate in a workshop geared towards identifying their own strengths and weaknesses, and how they want to grow as professionals.

All of OFY-San Bernardino staff participate in extensive, annual surveys to determine the professional development needs and growth opportunities for themselves personally and for the charter as a whole. The surveys are utilized to plan a variety of PD offerings from mandatory to optional for the upcoming year. OFY-San Bernardino fully believes in providing staff voice and choice in their professional growth and have begun offering an “unconference” PD model designed around the Ed Camp structure. This twice-yearly event offers participant driven, collaborative, Ed Camp style events, ensuring that all staff has the opportunity to drive their own professional growth through collaboration and discussion. These Ed Camp style events begin with participants brainstorming a variety of topics they want to engage in with each other. Facilitators then organize these topics into sessions in multiple rooms and multiple time slots. Participants then attend any sessions they are interested in being a part of. There is no leader or expert in the room, just a facilitator to keep the conversation going and managing the time. The day is meant for participants to choose the topics most important to them and engage in discussion with fellow educators to learn and grow by sharing experiences.

OFY-San Bernardino provides professional development focused on delivering the most effective instructional program for its students. Professional development opportunities are designed to meet school goals including, but not limited to, LCAP, WASC, and to support the increase in enrollment and retention in direct instruction classes, increased student and staff engagement, and growing classroom management skills. OFY-San Bernardino has brought experts in instruction, such as Dr. Marcia Tate, to improve the instructional strategies of both classroom teachers and staff developers. Math and Science
enrichment opportunities are offered to all staff through conference settings both in house and nationally attended.
Element 2: Measurable Student Outcomes

**Governing Law:** The measurable pupil outcomes identified for use by the charter school. “Pupil Outcomes,” for the 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 school wide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Education Code Section 47607. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, which apply for the grade levels served, or the nature of the program operated, by the charter school. Education Code Section 47605(b)(5)(B).

A. Performance Outcomes and Assessments

OFY-San Bernardino’s measurable goals and student outcomes are aligned with the eight state priorities and meet state content and performance standards in core and non-core courses. Additional exit outcomes align with the mission of OFY-San Bernardino. Table B.1 lists the measurable student outcomes for all students and subgroups and includes the assessment tools used to gauge progress. Skills are grouped in grade level spans: 7th-8th and 9th-12th. This grade level grouping reflects the middle and high school student population that OFY-San Bernardino serves. OFY-San Bernardino’s annual goals that align to the eight state priorities are included in the LCAP provided in Exhibit 8: Local Control and Accountability Plan.

**Table B.1:** Academic Exit Outcomes, Achievement Goals and Assessment Tools

<table>
<thead>
<tr>
<th>Subject</th>
<th>Skills, Knowledge and Aptitude</th>
<th>Assessment Tools</th>
<th>Frequency</th>
<th>Achievement Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td>English Language Arts</td>
<td>7th-12th Students will be able to read comprehensively, write clearly and, demonstrate listening and speaking skills through grade-level appropriate coherent presentations.</td>
<td>Renaissance Star ELA assessment</td>
<td>Three times per year</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Oral presentation</td>
<td>Ongoing</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rubric-based performance tasks</td>
<td>Ongoing</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Unit assessments</td>
<td>Upon unit completion</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Summative assessments (e.g. End of Course)</td>
<td>Upon course completion</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>SBAC</td>
<td>Annually</td>
<td></td>
</tr>
<tr>
<td>Mathematics</td>
<td>7th-8th Students will master ratios and proportional relationships, the number system, expressions and equations, functions, geometry, and statistics and probability.</td>
<td>Renaissance Star math assessment</td>
<td>Three times per year</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rubric-based performance tasks</td>
<td>Ongoing</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Unit assessments</td>
<td>Upon unit completion</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Summative assessments (e.g. End of Course)</td>
<td>Upon course completion</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>SBAC</td>
<td>Annually</td>
<td></td>
</tr>
</tbody>
</table>
### Element 2: Measurable Student Outcomes

OFY-San Bernardino Charter Renewal Petition: 2019-2024

<table>
<thead>
<tr>
<th>Grade</th>
<th>Subject</th>
<th>9th - 12th Students will master higher mathematics standards for number and quantity, Integrated Math, functions, modeling, geometry, and statistics and probability.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Science</td>
<td>7th - 8th Students will be able to demonstrate an understanding of the key points of life sciences and physical sciences through investigation and experimentation. 9th - 12th Students will be able to demonstrate an understanding of the key points of physics, chemistry, biology/life science, earth sciences through investigation and experimentation.</td>
</tr>
<tr>
<td></td>
<td>Social Science</td>
<td>7th - 8th Students will be able to analyze, compare and contrast, and reflect on the geographic, political, economic, religious, and social structures of the civilizations of Medieval Europe. Students will analyze, compare and contrast, and reflect on the ideas, issues, and events from the framing of the</td>
</tr>
<tr>
<td>Element</td>
<td>Grades</td>
<td>Description</td>
</tr>
<tr>
<td>---------</td>
<td>--------</td>
<td>-------------</td>
</tr>
<tr>
<td>Health/PE</td>
<td>7th - 8th</td>
<td>Students will be able to distinguish between valid and invalid sources of nutrition information, demonstrate the ability to use effective skills to model healthy decision making, make a</td>
</tr>
<tr>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>World Languages</td>
<td>7th - 12th</td>
<td>Students will progress through the four levels (formulaic to extended) of language comprehension. Students will students address a wide variety of content that is age- and stage appropriate, achieve communication competence, understand the connection between culture and language, and understand the appropriate structure of the language.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Student Outcomes</td>
<td>Constitution up to World War I, with an emphasis on America’s role in the war.</td>
<td>9th - 12th Students will master historical and social science analysis skills. Students will be able to analyze, compare and contrast, and reflect on the major turning points that have shaped the modern world.</td>
</tr>
</tbody>
</table>
### Element 2: Measurable Student Outcomes

#### OFY-San Bernardino Charter Renewal Petition: 2019-2024

<table>
<thead>
<tr>
<th>Personal Plan for Improving One’s Nutrition and Incorporating Physical Activity into Daily Routines, and Explain Physical, Social, and Emotional Changes Associated with Adolescence.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>9th - 12th</strong> Students will distinguish between facts and myths regarding nutrition practices, products, and physical performance, analyze positive strategies to communicate healthy eating and physical activity needs at home, at school, and in the community, describe physical, social, and emotional changes associated with being a young adult.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>College Preparatory/Career</th>
<th><strong>9th - 12th</strong> Students will demonstrate an understanding of what it means to be ready for college, the types of schools and degrees they may choose to pursue after high school, and gain wide exposure to the financial resources available that make college attainable. Students will demonstrate career readiness by analyzing</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Rubric-based performance tasks</strong></td>
<td><strong>Ongoing</strong></td>
</tr>
<tr>
<td><strong>90% of students will pass the End of Course Exam.</strong></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th><strong>Unit assessments</strong></th>
<th><strong>Upon unit completion</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Summative assessments (e.g. End of Course assessments)</strong></td>
<td><strong>Upon course completion</strong></td>
</tr>
<tr>
<td>Subject</td>
<td>Grade Level</td>
<td>Description</td>
</tr>
<tr>
<td>---------------</td>
<td>-------------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>career clusters. Students will understand how preparation and skill development in high school can lead into expansive career opportunities after they have completed their education and are ready for the working world.</td>
<td></td>
<td>Unit Assessments</td>
</tr>
<tr>
<td>Music/Art</td>
<td>7th - 12th</td>
<td>Students will analyze the role of music in past and present cultures throughout the world, noting cultural diversity as it relates to music, musicians, and composers. Students will apply what they learn in music across subject areas. They will develop competencies and creative skills in problem solving, communication, and management of time and resources that contribute to lifelong learning and career skills. They will also learn about careers in and related to music.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ELD</td>
<td>7th - 8th</td>
<td>Students will gain an increasing ability to understand, speak, read and write in English.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
1. **Measureable Outcomes**

In addition to LCAP goals, the Charter School monitors pupil achievement via multiple, measurable methods, including:

- The Charter School, District, State, and Federal assessments
- Percentage of students completing UC/CSU A-G courses
- Percentage of ELs who make progress toward English proficiency as measured by the ELPAC (or any subsequent assessment of English proficiency, as certified by the State board)
- English Learner reclassification rate
- Percentage of students that have ILPs that align with AB 216 planning guide
- The number of students graduating from the program
- Percentage of students completing a Character Education course

Immediately following completion of the enrollment process, students will be given a diagnostic assessment in reading and math using the Renaissance STAR assessment system. Results will be documented in each student’s ILP, thus enabling the teachers to develop specific classroom-level skills to show student growth and understanding. Student progress will be monitored at all times, and the ILP will allow for highly-personalized instruction, pacing, and remediation. Students will be assessed using the benchmark assessment Renaissance STAR three times a year with fall, winter, and spring assessments to determine growth in mathematics and English language arts.

2. **Exit Outcomes**

   a) **High School Performance Outcomes**

The mission of OFY-San Bernardino reflects the goals and programs provided to the diverse range of students who will be served by the Charter School. Many students attend the Charter School as an alternative to traditional public high schools and earn their high school diploma from the Charter School; however, a number of students attend the Charter School to partake in the academic recovery program, catch-up on credits, and return to their resident or neighborhood school. Based upon their academic and personal goals, many high-risk students transition into and out of the Charter School over the course of their academic careers. To ensure that the units earned at the Charter School transfer to other middle schools, high schools, community colleges, colleges, and universities, the Charter School is a WASC-accredited school. WASC-accreditation allows the Charter School to meet the following program outcomes:

- **Credit Attainment:** OFY-San Bernardino is authorized to award course credit to those students who successfully master OFY-San Bernardino coursework. All coursework and assessments within a particular course must be completed with an average score of 70 percent or better (or as otherwise specified on a student’s IEP or 504 plan). If a student elects to re-enroll in a District or otherwise accredited school, all courses mastered at OFY-San Bernardino will be transferable to the student’s new school.
- **Academic Growth:** OFY-San Bernardino has established growth metrics for ELA and Math on the Renaissance STAR and the SBAC. At least 50% of student who take the Renaissance STAR assessments in both Reading and Math will earn a student growth percentile of 40 or higher.
- **College Readiness:** OFY-San Bernardino encourages students to participate in college preparatory courses. Students are offered numerous resources to assist in planning post-secondary goals, exploring various career paths, researching colleges and financial aid

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**Element 2: Measurable Student Outcomes**

OFY-San Bernardino Charter Renewal Petition: 2019-2024
opportunities, and designing a plan to transition from high school to college or into a rewarding career.

- **Career Readiness**: OFY-San Bernardino encourages students to complete workforce readiness courses as well as master skill development integrated into core course content. Students receive instruction designed to assist them in gaining employment and keeping it, and specifically in workforce readiness.

- **High School Diploma**: OFY-San Bernardino is authorized to award high school diplomas to those students who successfully complete the academic and behavioral requirements established by OFY-San Bernardino.

3. **Non-Academic Outcomes**

OFY-San Bernardino provides multiple opportunities for character development. A Charter Education course is provided and is aligned with CCSS in College and Career Readiness and equips students with the mindset, knowledge, and skills needed to lead a successful academic and personal life. Students study character traits such as gratitude, grit, optimism, and responsibility and participate in activities that help build self-confidence, self-esteem, and self-respect. The leadership skills that OFY-San Bernardino’s students learn enable them to establish community relationships and take the first steps towards making affirmative life choices that benefit the communities in which they live. Listed below is an overview of the character traits students learn in the Character Education course.

### Table B.2: Character Education Exit Outcomes

<table>
<thead>
<tr>
<th>Life Skill</th>
<th>Goal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gratitude</td>
<td>Students will learn to develop an attitude of appreciation and gratefulness.</td>
</tr>
<tr>
<td>Grit</td>
<td>Students will understand how to pursue dreams and goals in the face of opposition.</td>
</tr>
<tr>
<td>Optimism</td>
<td>Students will learn to identify and understand one’s own thought process to see the positive in negative situations.</td>
</tr>
<tr>
<td>Relationship Skills</td>
<td>Students will learn to develop and maintain healthy relationships within different contexts.</td>
</tr>
<tr>
<td>Responsibility</td>
<td>Students will learn how to think through consequences before making decisions.</td>
</tr>
<tr>
<td>Self-Awareness</td>
<td>Students will learn to identify and understand one’s own feelings and how these feelings affect decision making.</td>
</tr>
<tr>
<td>Self-Management</td>
<td>Students will understand how to manage one’s own feelings, behaviors, and thoughts in different situations.</td>
</tr>
<tr>
<td>Social Awareness</td>
<td>Students will learn how to understand and empathize with other’s feelings and viewpoint.</td>
</tr>
</tbody>
</table>

### a) Student Transcripts and Grade Level Classification

Student transcripts are thoroughly reviewed to determine high school grade classification. All students are expected to attend high school for eight semesters. However, students who work at an accelerated pace and complete the necessary course credit requirements, may graduate early. Students are eligible to start earning credit for high school after meeting the core content requirements for grade 8. All eligible students must notify their teacher before they begin high school courses. Grade level classification is not based on age; rather, it is based on credits earned. Grade classification is reviewed each semester.

OFY-San Bernardino’s students are classified as follows:
Table B.3: High School Grade Level Classification

<table>
<thead>
<tr>
<th>Classification</th>
<th>Credits Earned</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grade 9 (Freshman)</td>
<td>0-59</td>
</tr>
<tr>
<td>Grade 10 (Sophomore)</td>
<td>60-119</td>
</tr>
<tr>
<td>Grade 11 (Junior)</td>
<td>120-169</td>
</tr>
<tr>
<td>Grade 12 (Senior)</td>
<td>170-220</td>
</tr>
</tbody>
</table>

b) Middle School Performance Outcomes

Middle school students earn five (5) units of credit for every semester successfully completed in each of the required subjects or courses of study. Eighty (80) units of credit is considered the minimum level of middle school student attainment in the four core academic areas of English/language arts, mathematics, history/social science and science. Credit deficiencies must be made up by taking additional courses in the summer or by taking additional work in high school, depending on individual circumstances. A middle school certificate of promotion is granted to each student who completes the basic program defined for grades 7 and 8, except in unusual circumstances warranting an adjustment of the individual's program.

Table B.4: Middle School Two-Year Content Requirements

<table>
<thead>
<tr>
<th>Subject</th>
<th>Semesters</th>
</tr>
</thead>
<tbody>
<tr>
<td>English/Language Arts</td>
<td>4 semesters</td>
</tr>
<tr>
<td>History/Social Science</td>
<td>4 semesters</td>
</tr>
<tr>
<td>Mathematics</td>
<td>4 semesters</td>
</tr>
<tr>
<td>Science (including Health topics)</td>
<td>4 semesters</td>
</tr>
<tr>
<td>Physical Education</td>
<td>4 semesters</td>
</tr>
</tbody>
</table>

B. College Preparatory Plan/A-G Plan

OFY-San Bernardino’s coursework fulfills A-G requirements for acceptance to either the University of California or California State University (UC/CSU) upon graduation.

OFY-San Bernardino offers its students a college preparatory plan that leads to enrollment in a four-year college or university or enrollment into a community college with ability to transfer to a four-year institution. In addition to the minimum graduation requirements, college preparatory students complete the following:

- a total of 30 to 40 credits of mathematics (Integrated Math or higher)
- 40 credits of English core course material
- a total of 30 to 40 credits of college preparatory lab science
- a total of 20 to 40 credits of college preparatory foreign language
OFY-San Bernardino offers a diverse array of courses that meet UC/CSU A-G admission requirements. In addition, students at OFY-San Bernardino are able to enroll in Advance Placement courses. A list of A-G and AP courses that OFY-San Bernardino offers is provided in the OFY-San Bernardino Student Handbook. Finally, OFY-San Bernardino pursues partnerships with local community colleges. The partnerships enable OFY-San Bernardino to offer concurrent enrollment courses to its students.

C. Exit Outcome and Performance Goal Modifications

OFY-San Bernardino recognizes that exit outcomes and performance goals may need to be modified or changed over time. These changes may be caused by changes in CCSS or California standards; changes to curriculum or performance expectations by the District or the CDE; or changes initiated by OFY-San Bernardino’s Board of Directors or leadership team. Any revisions to exit outcomes or performance goals aligned to CCSS or California standards shall meet or exceed minimum requirements put forth by the San Bernardino City Unified School District or the CDE.

D. High School Graduation Requirements

Students who choose to graduate from OFY-San Bernardino are required to meet the graduation requirements listed in Table B.5:

<table>
<thead>
<tr>
<th>A-G Subject Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>(a) History/Social Science</strong></td>
</tr>
<tr>
<td>2 years required</td>
</tr>
<tr>
<td>Includes one year of world history and one year of U.S. history or one-half year of U.S. history and one-half year of civics or American government.</td>
</tr>
<tr>
<td><strong>(b) English</strong></td>
</tr>
<tr>
<td>4 years required</td>
</tr>
<tr>
<td>Four years of college preparatory English that include frequent and regular writing, and reading of classic and modern literature. No more than one year of ESL-type courses can be used to meet this requirement.</td>
</tr>
<tr>
<td><strong>(c) Mathematics</strong></td>
</tr>
<tr>
<td>3 years required</td>
</tr>
<tr>
<td>Includes the topics covered in elementary and advanced algebra and two- and three-dimensional geometry.</td>
</tr>
<tr>
<td><strong>(d) Laboratory Science</strong></td>
</tr>
<tr>
<td>2 years required</td>
</tr>
<tr>
<td>Two years of laboratory science providing fundamental knowledge in at least two of these three foundational subjects: biology, chemistry and physics.</td>
</tr>
<tr>
<td><strong>(e) Foreign Language</strong></td>
</tr>
<tr>
<td>2 years required</td>
</tr>
<tr>
<td>Two years of the same language other than English.</td>
</tr>
<tr>
<td><strong>(f) Visual/Performing Arts</strong></td>
</tr>
<tr>
<td>1 year required</td>
</tr>
<tr>
<td>A single year-long approved arts course from a single VPA discipline: dance, drama/theater, music or visual art.</td>
</tr>
<tr>
<td><strong>(g) College Prep Electives</strong></td>
</tr>
<tr>
<td>1 year required</td>
</tr>
<tr>
<td>One year (two semesters), in addition to those required in ‘a-f’ above, chosen from all subject areas.</td>
</tr>
</tbody>
</table>
Table B.5: Graduation Requirements

<table>
<thead>
<tr>
<th>Subject</th>
<th>Number of Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>English</td>
<td>40 Credits (All English Courses must use core material)</td>
</tr>
<tr>
<td>Mathematics</td>
<td>30 Credits (Equivalent to 1st year of Integrated Math must be completed)</td>
</tr>
<tr>
<td>History/Social Science</td>
<td>30 Credits (World History (10 credits); U.S. History (10 credits); American Government (5 Credits); Economics (5 Credits))</td>
</tr>
<tr>
<td>Physical Education</td>
<td>20 Credits</td>
</tr>
<tr>
<td>Science</td>
<td>20 Credits (Biological Science (10 Credits); Physical Science (10 Credits) 1 year elective science)</td>
</tr>
<tr>
<td>Foreign Language or Visual/Performing Arts</td>
<td>10 Credits</td>
</tr>
<tr>
<td>Science Elective</td>
<td>10 Credits</td>
</tr>
<tr>
<td>Career Development</td>
<td>20 Credits</td>
</tr>
<tr>
<td>General Electives</td>
<td>50 Credits</td>
</tr>
<tr>
<td>Total Credits</td>
<td>220 Credits</td>
</tr>
<tr>
<td>Community Service</td>
<td>10 hours to fulfill the service learning requirement (This is to be completed in grades 9-12, and students must submit verified hours on a letterhead from an approved service agency).</td>
</tr>
</tbody>
</table>

OFY-San Bernardino understands that graduation requirements may change over time. OFY-San Bernardino’s students will complete all graduation requirements of the current school year per District or State requirements.

E. WASC Accreditation

OFY-San Bernardino is WASC Accredited through June 30th, 2022.
Element 3: Methods to Assess Pupil Progress

**Governing Law:** 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(b)(5)(C).

A. Accountability for Student Progress

OFY-San Bernardino is accountable for student progress and administers the following assessments: Renaissance STAR benchmarking assessments in reading and mathematics, the California Assessment of Student Performance and Progress (CAASPP), the California Standards Test and other California-mandated assessments. OFY-San Bernardino establishes yearly performance goals and uses the data from the assessments listed above to determine the effectiveness of the educational program. OFY-San Bernardino also is evaluated according to student and parent satisfaction indices, the number of students graduating from the program, and the number of students recovering credits and returning to traditional school environments.

OFY-San Bernardino uses the following measures of academic achievement in determining program success:

- Renaissance STAR Benchmark Assessments
- CAASPP (movement of student from one proficiency level to the next in a given subject)
- California Standards Test (movement from one proficiency level to the next)
- ELPAC (movement from one proficiency level to the next)
- RFEPE results (the number and percentage of ELs who have exited the EL program)
- Course Level Assessments (demonstration of proficiency in grade level courses using summative assessments)
- FITNESSGRAM (physical education assessment for required grades)

Outcomes are measured by the incremental growth of our students as determined by the assessments listed above. Reported results are based upon a portfolio of student performance data, including teacher assessments, student assessment data and course completion. Exit outcomes align to OFY-San Bernardino’s mission, curriculum, and assessments.

Six months after the close of the fiscal year, OFY-San Bernardino submits an annual report to the San Bernardino City Unified School District containing year-end information detailing pupil achievement (i.e. Renaissance STAR growth metrics, CAASPP results, credit attainment rates, ELPAC results, RFEPE results) as well as the financial audit for the school year. Data provided in this report is specific to students enrolled under this charter as approved by the District and meets all CCSS and California assessment requirements.

1. Progress Assessment Methods

Students are regularly assessed to determine skill level growth and the appropriateness of the program for meeting their individual needs. All students participate in testing programs as required by law. OFY-San Bernardino annually reports student achievement data to staff, parents, and the District. Teachers use the data to determine students’ areas of strengths and weaknesses and adjust their instructional methods or curriculum accordingly; administrators use the data to review staff performance and create relevant professional development; the Board of Directors use the data to evaluate the performance of school leaders and the educational model; and the District uses the data to evaluate the performance of OFY-San Bernardino.
Teachers address assessment results during individual meetings and develop intervention strategies to meet any academic deficiencies. Parents are informed through parent-teacher conferences, IEP meetings, and Section 504 conferences.

2. *Unit and Course Assessments*

Teachers at OFY-San Bernardino use multiple formative, summative, and student self-assessments to track student progress and inform instruction. Formal and informal assessments within each instructional unit and course provide teachers and students real-time data to evaluate the effectiveness of content delivery and standard mastery achievement. Teachers and students use the data when working collaboratively on individual learning plans. Teachers and leadership further utilize this data to inform teaching skills and additional professional development offerings. Appropriately selected and administered assessment instruments are aligned to the mission, exit outcomes, and curriculum of OFY-San Bernardino. These assessments provide information that is critical for:

- Meaningful placement decisions
- Documentation of student growth through pre-testing and post-testing
- Assistance to teachers in making effective decisions about instructional content and pacing for individual students
- Evaluation of overall program effectiveness

Test scores are only one indicator of a student’s abilities and knowledge. Such scores are best used in the context of other information about the student and only after careful consideration of the most appropriate test to administer and a full understanding of the individual student being tested. This is particularly true for a high-risk student whose progress is not typically reflected by traditional evaluation methods. OFY-San Bernardino uses multiple measures and indicators to accurately determine student success and inform instruction. These measures include a variety of assessments such as standardized assessments, California-mandated assessments, benchmark assessments, teacher-developed rubrics, performance tasks, and portfolios. A list of subjects and the type of assessments used are provided in Table C.1.
### Table C.1: Subjects, Assessment Tools, and Frequency of Assessment

<table>
<thead>
<tr>
<th>Subject</th>
<th>Assessment Tools</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>English Language Arts</strong></td>
<td>Renaissance Star ELA benchmark assessment</td>
<td>Three times per year</td>
</tr>
<tr>
<td></td>
<td>Oral presentation</td>
<td>Ongoing</td>
</tr>
<tr>
<td></td>
<td>Rubric-based performance tasks</td>
<td>Ongoing</td>
</tr>
<tr>
<td></td>
<td>Unit assessments</td>
<td>Upon unit completion</td>
</tr>
<tr>
<td></td>
<td>Summative assessments (e.g. End of Course)</td>
<td>Upon course completion</td>
</tr>
<tr>
<td></td>
<td>SBAC</td>
<td>Annually</td>
</tr>
<tr>
<td><strong>Mathematics</strong></td>
<td>Renaissance Star math benchmark assessment</td>
<td>Three times per year</td>
</tr>
<tr>
<td></td>
<td>Rubric-based performance tasks</td>
<td>Ongoing</td>
</tr>
<tr>
<td></td>
<td>Unit assessments</td>
<td>Upon unit completion</td>
</tr>
<tr>
<td></td>
<td>Summative assessments (e.g. End of Course)</td>
<td>Upon course completion</td>
</tr>
<tr>
<td></td>
<td>SBAC</td>
<td>Annually</td>
</tr>
<tr>
<td><strong>Science</strong></td>
<td>Lab reports</td>
<td>Ongoing</td>
</tr>
<tr>
<td></td>
<td>Rubric-based performance tasks</td>
<td>Ongoing</td>
</tr>
<tr>
<td></td>
<td>Unit Assessments</td>
<td>Upon unit completion</td>
</tr>
<tr>
<td></td>
<td>Summative assessments (e.g. End of Course)</td>
<td>Upon course completion</td>
</tr>
<tr>
<td></td>
<td>CST</td>
<td>Annually</td>
</tr>
<tr>
<td><strong>Social Science</strong></td>
<td>Oral presentation</td>
<td>Ongoing</td>
</tr>
<tr>
<td></td>
<td>Rubric-based Performance Tasks</td>
<td>Ongoing</td>
</tr>
<tr>
<td></td>
<td>Unit assessments</td>
<td>Upon unit completion</td>
</tr>
<tr>
<td></td>
<td>Summative assessments (e.g. End of Course)</td>
<td>Upon course completion</td>
</tr>
<tr>
<td></td>
<td>CST</td>
<td>Annually</td>
</tr>
<tr>
<td><strong>World Languages</strong></td>
<td>Rubric-based performance tasks</td>
<td>Ongoing</td>
</tr>
<tr>
<td></td>
<td>Unit assessments</td>
<td>Upon unit completion</td>
</tr>
<tr>
<td></td>
<td>Summative assessments (e.g. End of Course)</td>
<td>Upon course completion</td>
</tr>
<tr>
<td><strong>Health/PE</strong></td>
<td>Rubric-based performance tasks</td>
<td>Ongoing</td>
</tr>
<tr>
<td></td>
<td>Unit assessments</td>
<td>Upon unit completion</td>
</tr>
<tr>
<td></td>
<td>Summative assessments (e.g. End of Course)</td>
<td>Upon course completion</td>
</tr>
<tr>
<td><strong>Electives</strong></td>
<td>Rubric-based performance tasks</td>
<td>Ongoing</td>
</tr>
<tr>
<td></td>
<td>Unit assessments</td>
<td>Upon unit completion</td>
</tr>
<tr>
<td></td>
<td>Summative assessments (e.g. End of Course)</td>
<td>Upon course completion</td>
</tr>
</tbody>
</table>
OFY-San Bernardino’s students also develop their social-emotional skills through experiences designed to foster critical thinking. Research supports the positive association between social-emotional skills and academic achievement, with these skills having positive long-term behavioral and attitudinal effects. Methods for assessing the progress of the development of these skills include reflection activities and one-to-one student teacher meetings (see Table C.2).

### Table C.2: Social-Emotional Skills, Assessment Tools and Frequency of Assessment

<table>
<thead>
<tr>
<th>Skills</th>
<th>Assessment Tools</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gratitude</td>
<td>Journal entries</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Grit</td>
<td>One-on-one student teacher meetings</td>
<td>Twice weekly</td>
</tr>
<tr>
<td>Optimism</td>
<td>Character Education activities</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Relationship Skills</td>
<td>Teacher and staff anecdotal notes</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Responsibility</td>
<td>Student personal growth plan</td>
<td>Initially</td>
</tr>
<tr>
<td>Self-Awareness</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Self-Management</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Social Awareness</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3. **Personalized Assessment**

OFY-San Bernardino identifies the particular needs of each student during an enrollment orientation, which includes diagnostic assessments, parent conference, student goal setting, and transcript review. This process provides the student’s teacher with an initial understanding of the student’s communication skills, the student’s perspective on school, why the student left his or her previous learning environment, and what are the student’s goals. This information provides insight the teacher can use to help the student shape educational and personal goals. This approach is vital to the overall success of the personalized learning process.

The teacher, student, and parents work together to develop an ILP to help maximize the student’s success in the program. OFY-San Bernardino recognizes that individual students have varied, often changing needs, and teachers adjust the ILP to meet these needs; however, any adjustments still maintain strict adherence to a well-defined set of content standards and graduation requirements. Student success is achieved through a balance between structure and flexibility in the learning process.

OFY-San Bernardino uses the following strategies when developing the ILP for each student:

- An assessment of the academic strengths and weaknesses of the student, using both formal and informal assessment procedures
- A thorough examination of the expectations for each student
- Location of available resources and services so that an appropriate match between the expectations and the student’s knowledge base can be achieved
- Collaborative review of community and charter school resources to support student achievement and bridge the gap between learning goals and prior academic knowledge
- The development of a personalized plan of action that is flexible, modifiable, and includes an evaluation procedure to determine achievement of desired outcomes

Students demonstrate that they have met the standards required for the coursework before progressing to subsequent courses within the same content area.

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4. **Student Skill Growth**

Comprehensive skill growth is measured using multiple assessment measures. One metric used for student level and school wide data tracking is the Renaissance STAR assessment system, which is nationally normed and aligned with CCSS. Renaissance STAR assessments allow OFY-San Bernardino to disaggregate data, evaluate curriculum, and compare students’ skill growth to that of students at other schools with the same educational model.

This computer-adaptive assessment tool allows for the measurement of student skill levels shortly after enrollment and skill growth over time. Students take the Renaissance STAR Reading and Math Assessments after enrollment and during two additional benchmark assessment windows. These benchmark assessments provide teachers with a snapshot of each student’s reading and math levels. Follow-up assessments identify student deficiencies so that the teacher can provide individualized, targeted interventions. OFY-San Bernardino is able to track the skills growth of the student population as a whole and the Renaissance STAR Assessments allow OFY-San Bernardino to design formative and summative assessments that align with the school’s personalized curriculum.

5. **Student Credit Attainment and Mastery**

Each student is placed in the core subjects of ELA and mathematics based upon his or her assessed achievement levels, transcripts of previous coursework, state test results, and other data. Mastery of skills is determined by one or more of the following: teacher observational data, work samples, unit tests, and formative and summative assessments. Assessments are tailored to meet the specific learning style of the unique student population, and include compositions, multimedia presentations, and artistic expression.

Students are required to complete a minimum of five academic units of work (equivalent to five credits) each academic month (four-week learning period). In order to earn course credit, a student must demonstrate mastery, which is defined as a score of 70 percent or higher, on both coursework and unit exams. Students who do not meet this requirement must review and revisit a differentiated instructional process, such as direct instruction, online coursework, or individualized tutoring at the school site in order to master the skills and content.

Students have the opportunity to complete a maximum of ten academic units of work (equivalent to ten credits) during the same four-week learning period. OFY-San Bernardino is WASC accredited, and credits earned at OFY-San Bernardino are transferable to all accredited high schools. Attendance is calculated, and an audit trail of all coursework is maintained for each student based on the California Education Code Sections 46301 for charter schools.

6. **Success Rates**

The goal of OFY-San Bernardino is to re-engage students and provide academic support, enabling students to recover credits and return to their home district or graduate from the charter school. OFY-San Bernardino internally measures graduation rates on a yearly basis. Because of the non-traditional nature of the program, OFY-San Bernardino determines graduation rates by measuring the number of students who have earned enough credits to be considered seniors at the beginning of the school year and those who then graduate by the conclusion of that same school year.

OFY-San Bernardino enrolls students year-round. Because of the varying needs of students who enroll and then leave OFY-San Bernardino, the drop-out rate is based on full-time students. OFY-San Bernardino notifies the San Bernardino City Unified School District when students voluntarily leave the program and inform the District of the student’s intent to return to their neighborhood school upon credit recovery.
OFY-San Bernardino works collaboratively with the San Bernardino City Unified School District to increase graduation rates, decrease drop-out rates, and address state priorities.

7. **State Mandated Assessments and Accountability System**

Pursuant to California Education Code Section 60605, OFY-San Bernardino administers all required State and national standardized assessments (i.e. CAASPP, ELPAC) as they are developed and approved by State and Federal agencies. State mandated assessments are used to measure student achievement, inform instruction, and provide guidance for development of LCAP goals and objectives. Data collected from the assessments are analyzed, disaggregated, and shared with multiple stakeholders, including school staff, school leadership, the Board of Directors, students, and parents. Based on the data, students who score below proficient are provided with further support interventions. All data collection comports with state and federal privacy laws including the Family Educational Rights and Privacy Act.
Element 4: Governance

Governing Law: 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(b)(5)(D).

A. Non-Profit Public Benefit Corporation

Options For Youth - San Bernardino, Inc. ("OFY-San Bernardino" or "Charter School") shall operate the Charter. Options For Youth - California, Inc. (“OFY-CA”), the sole member of Options For Youth – San Bernardino, Inc., is a California 501(c)(3) nonprofit public benefit corporation engaged in providing education support and management assistance to charter schools. By July 1, 2019, the Charter School shall provide the District with copies of revised Corporate Bylaws, and conflict of interest code updated to reflect compliance with the provisions of this Petition, including compliance with Government Code Section 1090.

OFY-San Bernardino warrants and represents the following with respect to OFY-CA:

- OFY-CA’s sole purpose is to appoint members of the OFY-San Bernardino Board of Directors and to approve or reject modifications to OFY-San Bernardino’s Articles and Bylaws.

- OFY-CA, its directors, and employees do not currently and shall not provide any services to OFY-SB except that, pursuant to OFY-CA’s sole purpose, OFY-CA may appoint members of the OFY-SB Board of Directors and approve or reject modifications to OFY-San Bernardino’s Articles and Bylaws after these modifications are first approved by the OFY-San Bernardino Board.

- OFY-CA, its directors, and employees do not currently and shall not operate OFY-San Bernardino or make any policy decisions on behalf of OFY-San Bernardino.

- OFY-CA, its directors, and employees do not currently and shall not manage OFY-San Bernardino’s day-to-day operations as its administrative manager.

- OFY-CA, its directors, and employees do not currently and shall not make any staffing, management, back office, or contracting decisions on behalf of OFY-San Bernardino.

- OFY-CA, its directors, and employees do not currently and shall not employ, supervise, or dismiss employees of OFY-San Bernardino, including certificated and noncertificated school personnel.

- OFY-CA, its directors, and employees do not currently and shall not approve, deny, or manage the budget or any expenditures of OFY-San Bernardino.

- OFY-CA, its directors, and employees do not currently and shall not contract with OFY-San Bernardino or with any other entity.

- OFY-CA, its directors, and employees do not currently and shall not receive funds or monies from or relating to OFY-San Bernardino.
• OFY-CA, its directors, and employees do not currently and shall not transfer funds to OFY-San Bernardino.
• OFY-CA, its directors, and employees do not currently and shall not maintain any bank accounts on behalf of OFY-CA.

OFY-CA, its directors, and employees shall not enter into a subcontract to avoid the above warranties and representations.

Should the provisions of this Charter conflict with the Articles of Incorporation, bylaws, policies, or practices of the Charter School or OFY-CA, the provisions of this Charter shall prevail.

OFY-San Bernardino shall provide written notice to the District of any proposed revisions to the Articles of Incorporation and/or Bylaws no less than three (3) weeks prior to consideration of adoption of the revision(s) by the OFY-San Bernardino governing board. If the District indicates that the it considers the proposed revision(s) to be a material revision to OFY-San Bernardino’s governance structure or Charter, the District shall notify OFY-San Bernardino in writing of the reason(s) supporting its determination; OFY-San Bernardino agrees it will not adopt such revision(s) unless and until the revision(s) is first approved through the process set forth in Education Code section 47607 for material revision to the Charter. Should OFY-San Bernardino adopt revision(s) to its Articles of Incorporation and/or Bylaws in accordance with these requirements, it shall provide a final copy of the revised document to the District within 3 business days of the finalization of such revision(s), either by Board action or upon receipt of a certified copy of the Articles from the Secretary of State.

OFY-San Bernardino shall comply with the Brown Act (California Government Code Section 54950 et seq). All meetings of the Board of Directors shall comply with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Division 2 of Title 5 of the Government Code), shall take place at least every other month, reserving the right to cancel meetings during the summer and winter breaks, and shall alternate within the service regions of the charter schools operated by OFY-SB. The board meeting will be video conferenced to allow participation from all locations. Notices, agendas, and minutes of meetings will be posted, recorded and retained in the OFY-SB files. These records will be accessible for public and District review upon request. The Board of Directors and OFY-SB staff will be trained at least annually on the requirements of the Brown Act. OFY-SB shall provide to the District Office copies of all its Governing Board agendas (including all materials provided to members of the Board regarding open session items for consideration) of any Board committees (including all materials provided to members of the Board regarding open session items for consideration), on or before the date required for posting of such agendas, in compliance with the Brown Act.

OFY-San Bernardino shall operate autonomously from the District, with the exception of the supervisory oversight as required by statute and other contracted services as may be negotiated between the District and OFY-San Bernardino. Pursuant to Education Code Section 47604(c), the District shall not be liable for the debts and obligations of OFY-San Bernardino, operated by a California non-profit public benefit corporation, or for claims arising from the performance of acts, errors, or omissions by OFY-San Bernardino, as long as the District has complied with all oversight responsibilities required by law.
B. Board of Directors

OFY-San Bernardino is governed by a Board of Directors (“Board of Directors” or “Board”) in accordance with its Articles of Incorporation filed with the Secretary of State and its adopted bylaws, which shall be consistent with the terms of this charter. See Exhibit 9: Articles of Incorporation, Bylaws, and Conflict of Interest Policy.

OFY-San Bernardino’s Board of Directors shall be comprised of at least three (3) members, who shall manage the business affairs of OFY-San Bernardino. Board Members are selected based on background and education, commitment to the mission of OFY-San Bernardino, and ability to carry out board duties. The Board will be responsible for school policy decisions, including ensuring that the academic program is implemented effectively and results in student academic success. The Board will also adopt appropriate school policies, review the school’s financials, oversee student discipline, monitor organization program performance, and ensure other policies are implemented as mandated by State or Federal law.

OFY-San Bernardino will follow all applicable laws, including the Brown Act. OFY-San Bernardino’s Board of Directors have multiple oversight responsibilities, including but not limited to:

- Development, review, or revision of OFY-San Bernardino’s Local Control and Accountability Plan (“LCAP”) and mission
- Adoption of recommended required policies, including, but not limited to independent study, Student Master Agreement, and student discipline
- Development and approval of the annual budget
- Participation in dispute resolution procedures and complaint procedures when necessary
- Approval of charter amendments, including material revisions
- Annual review and approval of the LCAP
- Approval of annual fiscal and performance audits
- Approval of personnel discipline (e.g. suspensions or dismissals) as needed

The Board may initiate and carry out any program or activity, or may otherwise act in any manner which is not in conflict with, inconsistent with, or preempted by any law and which is not in conflict with the purposes for which OFY-San Bernardino is established. OFY-San Bernardino reserves the right to contract with other individuals and entities, whether public, private, for-profit, or nonprofit, in order to accomplish its goals and objectives as stated in this Charter, or to provide any or all services required hereunder, to the extent permitted by law.

Pursuant to Education Code Section 47604(b), the District will be entitled to a sole voting representative on the Charter’s Board (the “District Representative”), provided, however, that the District Representative is not eligible to serve as an officer of the Charter School, nor shall the District Representative participate in, be privy to, or vote with respect to any corporate business that is unrelated to the operation of the Charter School program authorized by the District.

The Board Members are selected by Options For Youth-California, Inc., (“OFY-CA”) a nonprofit public benefit corporation. Directors shall be designated by OFY-CA for a term of one (1) year. Each Director, including a Director designated to fill a vacancy, shall hold office until the expiration of the term for which designated and until a successor has been designated by OFY-CA, or until his or her earlier death, resignation or removal. The biographies of OFY-San Bernardino’s Board Members are included in Exhibit 10: Board of Directors Biographies.
To ensure stable and consistent legal compliance and effective board practices, OFY-San Bernardino will provide ongoing training to its Board Members. Topics may include, but are not limited to: understanding charter school budgets, the Brown Act, conflict of interest, roles and responsibilities of a board member, educational model, etc. A copy of OFY-San Bernardino’s Conflict of Interest Policy is in Exhibit 9: Articles of Incorporation, Bylaws, and Conflict of Interest Policy.

OFY-San Bernardino shall be subject to Government Code section 1090 et seq., the Political Reform Act of 1974 (Gov. Code section 87100, et seq., the “PRA”) and any attendant regulations as they may be amended from time to time, and all conflict-of-interest laws and prohibitions applicable to California nonprofit corporations and/or California charter schools. All officers, employees, and members of the governing board of OFY-San Bernardino shall comply with the requirements of each and all of those conflict-of-interest laws and regulations. OFY-San Bernardino has adopted the Fair Political Practices Commission’s Model Conflict of Interest Code, pursuant to California Code of Regulations, title 2, Section 18739, including the formal designation of reporters and reporting categories and the forms to be filed thereunder, and review, revise, and maintain that Code as current throughout the term of the Charter, and provide a copy of that Conflict of Interest Code and the documentation of board action adopting it to the District (and any revisions thereto), and require all affected OFY-San Bernardino officers, employees, representatives, and governing board members to comply therewith.

Contracts are reviewed by the Charter School’s legal counsel. Only individuals authorized by the officers of the Charter School have the authority to sign contracts on behalf of the Charter School. OFY-San Bernardino shall have no authority to enter into contracts for or on behalf of San Bernardino City Unified School District. Any contracts, purchase orders, or other documents which are approved or ratified by OFY-San Bernardino’s Board of Directors, as required by law, shall be unenforceable against San Bernardino City Unified School District and shall be OFY-San Bernardino’s sole responsibility.

C. Roles and Responsibilities of the Principal

The Principal at OFY-San Bernardino oversees the operations at OFY-San Bernardino. The roles and responsibilities of the Principal, or his/her designee, include, but are not limited to, the following:

- **Oversee the day-to-day management and operation of OFY-San Bernardino**
- **Personnel Management**
  - Hire, train, and supervise teaching staff
  - Evaluate teacher performance and serve as a contact person for problem resolution or guidance
  - Conduct in-service training programs and supervise new staff development
  - Conduct weekly center visits to provide support to Assistant Principals and staff
  - Monitor and anticipate staffing vacancies and/or FTE needs
- **Financial Management**
  - Monitor the expenses of OFY-San Bernardino centers
  - Weekly monitoring of teacher data input to ensure accurate ADA reporting
- **Quality Educational Progress and Compliance**
  - Direct teaching staff to provide educational and vocational guidance for students
  - Supervise state mandated tests to ensure quality and compliance
  - Manage the bi-monthly and year-end audits for centers
  - Work with the Director of Instructional Operations and Director of Special Education to ensure area’s compliance with Special Education
  - Work with teachers to resolve student and parent conflicts as needed
D. Ensuring Parental Involvement in Governance

Parents and guardians of OFY-San Bernardino students are encouraged to provide input in making decisions, including decisions that promote parent participation for all student subgroups, specifically students with exceptional needs, foster youth, and English Learners. Various school-wide parent outreach opportunities create positive and meaningful experiences for students. OFY-San Bernardino shall notify parents that they are not required to complete volunteer hours, parent participation obligations, or provide financial contribution for a student as a criterion for admission or continued enrollment at OFY-San Bernardino. OFY-San Bernardino staff notifies parents, immediately when problems with attendance, academic progress, or personal issues arise. Parents are given suggestions about ways they can support the learning process and a written report of student progress can be provided to parents immediately upon request. Parents may also receive more regular updates by calling or emailing their child’s teacher or by visiting the school site.

Communication with parents occurs through digital media, regular phone calls from teachers, open houses each semester, quarterly newsletters, and progress reports. Student Advisors hold meetings with parents and guardians to help guide them through post-secondary and financial aid options, as well as host quarterly parent information meetings. Parents may also provide feedback to OFY-San Bernardino via scheduled parental focus group meetings. OFY-San Bernardino has parent information sessions scheduled throughout the year, including back to school nights, other events and Local Control and Accountability Plan informational meetings in both Spanish and English.
Element 5: Employee Qualifications

**Governing Law:** The qualifications to be met by individuals to be employed by the charter school. Education Code Section 47605(b)(5)(E).

OFY-San Bernardino is committed to hiring qualified and dedicated employees for all positions. The Charter School hires knowledgeable and effective staff who connect with our students to empower and inspire them to achieve their goals and provide students with an education that prepares them for college and future careers. In accordance with Education Code 47605(d)(1), OFY-San Bernardino shall be nonsectarian in its employment practices and all other operations. The Charter School shall not discriminate against any employee or pupil on the basis of the characteristics described in Education Code Section 220. All employees shall be fingerprinted and receive a background clearance in the accordance with Education Code Section 44237 prior to commencing employment with OFY-San Bernardino.

A. School Employee Qualifications

All instructional and non-instructional staff to be employed by OFY-San Bernardino shall possess the required knowledge, skills, abilities, education, experiences and minimum qualifications identified in each job description. All OFY-San Bernardino employees are subject to all applicable state and federal employment laws. Following are brief descriptions of key positions at OFY-San Bernardino. A detailed description of positions at OFY-San Bernardino is included in Exhibit 12: Job Descriptions.

1. **Teacher Qualifications**

   The qualifications for a Teacher at OFY-San Bernardino include, but are not limited to the following. Teachers at OFY-San Bernardino shall hold, at a minimum, a Bachelor’s degree, and a California teaching certificate, permit, or other document required by the California Commission on Teacher Credentialing as required by Education Code section 47605(l) and demonstrate subject matter competency. These documents shall be maintained on file at the Corporate Office and shall be subject to periodic inspection by San Bernardino City Unified School District. See Exhibit 12: Job Descriptions for a detailed description of qualifications for OFY-San Bernardino teachers. Additionally, see Exhibit 13 for a list of Teachers and corresponding credentials.

2. **Principal Qualifications**

   The qualifications for a Principal at OFY-San Bernardino include, but are not limited to the following. The Principal shall have, at a minimum, a Bachelor’s degree. An advanced degree is strongly preferred. The credential required for a Principal is a single subject and/or Administrative Credential. The Principal will have managerial experience in an education setting and previous experience as an Assistant Principal or equivalent is preferred. See Exhibit 12: Job Descriptions for a detailed description of qualifications for the OFY-San Bernardino Principal.

3. **Assistant Principal**

   The qualifications for an Assistant Principal at OFY-San Bernardino include, but are not limited to the following. The Assistant Principal shall have, at a minimum, a Bachelor’s degree. An advanced degree is preferred. The Assistant Principal shall have a California clear single subject teaching credential however, an administrative credential is preferred. The preferred experience and skills of an Assistant Principal include at least 18 months of company teaching experience and supervisory or managerial skills. See Exhibit 12: Job Descriptions for a detailed description of qualifications for OFY-San Bernardino Assistant Principals.
4. **Other Staff Qualifications**

All other staff members, both instructional and non-instructional, will have the appropriate subject matter expertise, professional experience and demonstrated capacity to work successfully in an instructional support capacity. They will meet minimum qualifications outlined in each job description. See **Exhibit 12**: Job Descriptions for other staff qualifications.

5. **Employee Handbook**

OFY-San Bernardino has an Employee Handbook for all staff. A copy of the OFY-San Bernardino Employee Handbook can be found in **Exhibit 14**: Employee Handbook.

B. **Recruitment**

Job openings will be posted on OFY-San Bernardino’s website as well as on education-oriented and general interest job sites. As part of the application process, candidates will be screened for experience and qualifications. If a candidate meets all the requirements for the position, an in-person interview will be conducted with OFY-San Bernardino’s leadership staff. Before beginning employment with OFY-San Bernardino, selected candidates must pass a thorough background check, which includes screenings by the Department of Justice and the Federal Bureau of Investigation, past employment verification, reference checks, and a TB risk assessment. Newly-hired teachers will participate in a training program prior to teaching to learn OFY-San Bernardino’s curriculum, instructional model, and data-tracking systems.

In order to recruit and retain well qualified and experienced personnel, OFY-San Bernardino will offer a competitive salary and benefit package, as well as provide ongoing opportunities for professional development and training. OFY-San Bernardino is committed to maintaining a discrimination-free workplace to ensure the continued delivery of quality educational programs.

C. **Change in Employment Status**

The Principal of OFY-San Bernardino will comply with Education Code Section 44030.5, and will report any change in the employment status of an employee with a credential to the Commission on Teacher Credentialing not later than 30 days after the change in employment status, if the employee, while working in a position requiring a credential, and as a result of an allegation of misconduct or while an allegation of misconduct is pending, is dismissed, is non-reelected, resigns, is suspended or placed on unpaid administrative leave for more than 10 days as a final adverse action, retires, or is otherwise terminated by a decision not to employ or reemploy.
Element 6: Health and Safety Procedures

**Governing Law:** The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the charter school furnish the charter school with a criminal record summary as described in Education Section 44237 et seq and Education Code Section 47605(b)(5)(F).

In order to provide safety for all students and staff, OFY-San Bernardino has adopted and implemented full health and safety policies and procedures as well as risk management policies at its school sites in consultation with its insurance carrier and risk management experts. See Exhibit 15: Comprehensive School Safety Plan; Exhibit 16: Illness and Injury Prevention Plan; Exhibit 17: Chemical Hygiene Plan; and Exhibit 21: Job Safety Handbook.

Following is a summary of the health and safety policies of OFY-San Bernardino.

A. Procedures for Background Checks

Employees and contractors of OFY-San Bernardino shall 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. OFY-San Bernardino 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 Principal of OFY-San Bernardino shall monitor compliance with this policy and report to the Board of Directors on a regular basis. The Board of Directors will monitor the fingerprinting and background clearance of the Principal. Volunteers who will volunteer work outside of the direct supervision of a credentialed employee will be fingerprinted and receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

B. Role of Staff as Mandated Child Abuse Reporters

All employees shall be mandated child abuse reporters and follow all applicable reporting laws, the same policies and procedures used by the San Bernardino City Unified School District. OFY-San Bernardino shall provide mandated reporter training to all employees annually, in accordance with Education Section 44691.

C. Health and Safety of Students and Staff

1. **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.

2. **Immunizations**

All enrolled students who receive classroom-based instructions shall 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 Section 6000-6075. All rising 7th grade students must be immunized with a pertussis (whooping cough) vaccine booster. OFY-San Bernardino’s immunization policy can be found in Exhibit 18: Immunization Policy.
3. **Medication**

OFY-San Bernardino will adhere to Education Code Section 49423 regarding the administration of medication in school. The Charter School will adhere to Education Code Section 49414 regarding epinephrine auto-injectors and training for staff members. OFY-San Bernardino’s medication policy can be found in Exhibit 19: Medication Policy. Additionally, OFY-San Bernardino shall hire a school nurse or contract with a nursing service provider to conduct oversight of the health services being provided by the charter school to its students and to provide regular review of, among other things, the charter school’s health policies and medical records.

4. **Vision, Hearing, and Scoliosis**

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

5. **First Aid**

Administrators, teachers, and staff members shall be trained to provide emergency and first aid response to assist in providing a safe and healthy learning environment.

6. **Emergency Preparedness**

OFY-San Bernardino shall adhere to an Emergency Preparedness Handbook developed specifically for the school site. This handbook shall include but not be limited to the following responses fire, flood, earthquake, terrorist threats, and hostage situations. The Charter School shall ensure that all staff members receive annual training on OFY-San Bernardino health, safety and emergency procedures and conduct emergency responsive drills for students and staff. A Comprehensive School Safety Plan which includes safety and disaster plans has been adopted, implemented and maintained at all times for each OFY-SB site. See Exhibit 15: Comprehensive School Safety Plan for two centers in San Bernardino and one center in Moreno Valley.

7. **Blood Borne Pathogens**

OFY-San Bernardino shall meet state and federal standards for dealing with bloodborne pathogens and other potentially infectious materials in the workplace. OFY-San Bernardino’s Board of Directors shall establish and implement an infectious control plan designed to protect employees and students from possible infection due to contact with bloodborne viruses, including human immunodeficiency virus (“HIV”), and hepatitis B virus (“HBV”). Whenever exposed to blood or other bodily fluids through injury or accident, staff and students will follow the latest medical protocol for disinfecting procedures.

8. **Diabetes**

OFY-San Bernardino will provide an information sheet regarding type 2 diabetes to the parent or guardian of incoming students in grade 7, pursuant to Education Code Section 49452.7(a), et seq. The information sheet shall include, but not be limited to, all of the following:

- a description of type 2 diabetes
- a description of the risk factors and warning signs associated with type 2 diabetes
- 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
- a description of treatments and prevention of methods of type 2 diabetes
- a description of the different types of diabetes screening tests available
9. **Drug-Free/Alcohol-Free/Smoke-Free Environment**

OFY-San Bernardino shall maintain a drug, alcohol, and smoke-free environment.

10. **Suicide Prevention Policy**

OFY-San Bernardino shall maintain a policy on student suicide prevention in accordance with Education Code Section 215. See Exhibit 20: Policy on Suicide Prevention.

11. **Feminine Hygiene Products**

OFY-San Bernardino 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.

12. **Accommodations for Lactating Students**

OFY-San Bernardino shall adhere to Education Code Section 222 regarding reasonable accommodations to a lactating pupil on the school campus to express breast milk, breastfeed an infant child, or address other needs related to breast-feeding.

**D. Facility Safety**

OFY-San Bernardino shall provide its staff and students safe facilities that meet or exceed local safety ordinances. The school sites will be accessible to all students. OFY-San Bernardino’s facilities shall meet all applicable health and safety laws and ordinances, including the Americans with Disabilities Act.

OFY-San Bernardino 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. OFY-San Bernardino agrees to test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times. OFY-San Bernardino shall conduct fire drills as required under Education Code Section 32001.

**E. Comprehensive Discrimination and Harassment Policies and Procedures**

OFY-San Bernardino 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. OFY-San Bernardino maintains a comprehensive policy, including training for staff and students, 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 OFY-San Bernardino’s discrimination and harassment policies. See Exhibit 22: Title IX, Harassment, Intimidation, Discrimination, and Bullying Policy.

**F. Freedom of Speech and Press**

Pursuant to Education Code Sections 48907 and 48950, OFY-San Bernardino shall provide all students the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards; the distribution of printed materials or petitions; the wearing of buttons, badges and other insignia; and the right of expression in official publications.
Element 7: Racial and Ethnic Balance

**Governing Law:** The means by which the charter school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted. Education Code Section 47605(b)(5)(G).

### A. Racial and Ethnic Balance

OFY-San Bernardino does 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).

- OFY-San Bernardino maintains a policy of non-discrimination in all areas of its operations and strives to achieve a racial and ethnic balance among its students that reflects the racial and ethnic balance of the territorial jurisdiction of the area where the resource centers are located. This balance is achieved and maintained through the implementation of a multifaceted student recruitment and outreach plan that includes, but is not limited to, the following strategies:
  - Developing annual marketing plans created in collaboration with school staff and with the use of student survey data
  - Targeted student recruitment in the geographic area(s) surrounding the Charter School
  - Community outreach with key stakeholders including students, families, community leaders, and local businesses
  - The development of promotional materials that appeal to the racial and ethnic groups represented in the territorial jurisdiction of the school district and surrounding area(s) of the charter school
  - The distribution of promotional materials to a wide range of community organizations, businesses, and service providers that cater to the various racial, ethnic, and interest groups represented in the territorial jurisdiction and areas surrounding the Charter School
  - All materials will be readily available in English and other languages as necessary for the racial and ethnic groups represented in the territorial jurisdiction and areas surrounding the Charter School
  - OFY-San Bernardino engages with administrators and school counselors in district high schools to support them in providing an alternative educational option to their students who are disengaged from school and likely to be unsuccessful in a traditional setting
  - OFY-San Bernardino uses its Facebook, Twitter, and Instagram social media accounts to update students and parents about the school, serve as a hub for questions and comments, and showcase student projects, social clubs, events, and sports teams

- OFY-San Bernardino’s recruitment efforts focus on students who are:
  - Pregnant and parenting teens
  - Credit deficient
  - A past record of high levels of truancy
  - Special education students with individual education plans identifying a significant level of independent study as appropriate
  - English learners
- Students qualifying for free or reduced meal programs
- Transient and homeless students
- Students in foster care
- Adjudicated youth

OFY-San Bernardino has established partnerships with community colleges and other organizations such as WIC, Boys and Girls Clubs, churches, and the juvenile justice system in an effort to recruit students and maintain a target population that is reflective of the community. Student outreach is conducted in English, Spanish and other languages.

OFY-San Bernardino reviews the student demographic data on regular basis and updates the recruitment and outreach plan as needed based upon the enrollment results from the previous year.
Element 8: Admission Policies and Procedures

**Governing Law:** Admission policies and procedures, consistent with [Education Code Section 47605](#) subdivision (d). Education Code Section 47605(b)(5)(H).

A. Student Admissions Policies and Procedures

OFY-San Bernardino will be nonsectarian in its programs, admissions policies, and all other operations, and will not charge tuition or discriminate against any student based upon any of the characteristics listed in Education Code Section 220.

OFY-San Bernardino shall admit all pupils who wish to attend the school. OFY-San Bernardino will comply with all laws establishing maximum age for public school attendance in charter schools. Admission, except in the case of a public random drawing, shall not be determined by the place of residence of a pupil or his or her parent or legal guardian within the state.

All admitted students, along with a parent or legal guardian, will be strongly encouraged to participate in an enrollment meeting with a teacher, center coordinator, and/or Assistant Principal. The parent or guardian must be present to sign the necessary enrollment forms and agreements. In the case of minors, only the parent or legal guardian may sign the Agreement Form to enroll his or her child into the Program. When enrolling unaccompanied homeless youth under the McKinney-Vento Act, OFY-San Bernardino’s policy states that the teacher must co-sign the enrollment paperwork and include a note stating: “Minor represents that no parent or guardian caregiver is available, and that minor is an ‘unaccompanied homeless youth’ as defined under the McKinney-Vento Act.”

OFY-San Bernardino’s educational program is designed to serve all students but particularly students who are academically low performing, have dropped out or at risk of dropping out of school and are economically disadvantaged.

B. Lottery Preferences and Procedures

Applications will be accepted during a publicly advertised open enrollment period every year. At the end of the enrollment window, if there are more applicants than capacity for the entire student population, except for existing pupils of any OFY site that might serve San Bernardino students in the future, attendance shall be determined by a public random drawing.

Students who are not offered seats for the academic school year will remain on the lottery list until the end of that academic year or until a space becomes available. A student’s place on the lottery list will not carry over to the following academic school year.

The lottery will be held in a public location that is easily accessible to families, such as one of the school sites. If there are more students interested and not currently enrolled in any of the OFY sites in the San Bernardino charter than there are available spaces at the school sites, a lottery will be held. OFY-San Bernardino will establish a lottery date to maximize applications and attendance. At the lottery, a neutral designee will draw names of interested students for each grade in which there are spaces available. Records will be kept on file at the charter school documenting the fair execution of the lottery.

The lottery process will be transparent at all times. OFY-San Bernardino’s policies and procedures regarding enrollment will be clearly publicized in the application instructions and on the school’s website. Information about the time and location of the lottery will be posted on the School’s website, will be...
posted at the school sites, and public flyers will be posted in the local communities. A copy of the lottery policy is in Exhibit 27.

The Charter School will conduct the lottery, using the following rules and procedures, which will be communicated to all interested parties at least 30 days prior to holding the lottery:

- The school will enlist the services of an outside agency or auditor to monitor and verify the fair execution of all activities related to holding the lottery
- The lottery will take place within 30 days of closing the open enrollment period, which will be at least 90 days long
- The lottery will take place on the school’s campus in a facility large enough to allow all interested parties to observe the drawing, or at another public venue near the school large enough to accommodate all interested parties
- The lottery will take place on a weekday evening or other time when most interested parties who wish to attend may do so
- All interested parties will know, prior to the holding of the lottery, how many openings are available in the school and in the different grades served by the school
- The following preferences will be extended to potential students:
  - Founders’ children will, except in the case of very small proposed schools, constitute no more than 10% of the student body. Founders are defined to be the small group of people responsible for drafting of documents and for efforts, which resulted in the petition being approved
  - Students residing in the former attendance area of a conversion school shall be granted admission
  - For those charter schools having identified, in accordance with all applicable state and federal laws, a target student population within the charter petition, students within the targeted population will have three ballots with their names on them entered into the drawing pool, while prospective students outside the targeted population will have two ballots in the pool
  - Siblings of students who have their names drawn during the lottery shall receive a guarantee of admission unless the sibling is to enroll in a grade that has all of its spaces already filled in the drawing, in which case the sibling would be put on the lottery for admission to that grade ahead of all others on the lottery list for that grade
  - Children of employees shall receive the same statistical advantage, as would a potential student who is within the target population identified in the charter
- The lottery shall draw names from a single pool of ballots or identified pools of ballots designed to establish a diverse student population
- A representative of the outside agency or organization confirming the results of the lottery shall draw the ballots
- The drawing shall continue until all names are drawn. Those individuals whose names are drawn after all spaces have been filled will be placed on the lottery list in the order drawn, except if the preferences described above require otherwise
- Potential students on the lottery list shall provide contact information to be used in the event space becomes available. Families promoted off of the lottery list shall be informed in writing and have 10 business days from the date of postage to respond. In addition, the school shall attempt on at least two separate occasions to contact the parents/guardians of promoted students by
telephone. Those families not responding within the 10-day period will forfeit their right to enroll their student in the school for that school year.

- The outside organization or agency verifying the fair execution of the lottery shall confirm in writing the lottery was conducted fairly, and the school shall keep on record copies of that confirmation.

OFY-SB shall notify parents that they are not required to complete volunteer hours, parent participation obligations, or provide financial contribution for a student as a criterion for admission or continued enrollment at OFY-SB.
Element 9: Annual Independent Financial Audits

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

A. Audits

An annual independent financial audit of the books and records of OFY-San Bernardino will be conducted as required by Education Code Sections 47605(b)(5)(l) and 47605(m). The books and records of OFY-San Bernardino will be kept in accordance with generally accepted accounting principles, and as required by applicable law, the audit will employ generally accepted accounting procedures (“GAPP”). The audit will be conducted in accordance with applicable provisions within the California Code of Regulations governing audits of charter schools as published in the State Controller’s K-12 Audit Guide.

OFY-San Bernardino has identified its independent auditors: Maginnis Knettek & McIntyre LLP. These auditors have, at a minimum, a certified public accountant (CPA) license and educational audit experience, and are approved by the State Controller’s on its published list as an educational audit provider. To the extent required under applicable federal law, the audit scope will be expanded to include items and processes specified in applicable Office of Management and Budget Circulars.

The financial audit for each fiscal year will be performed and submitted to San Bernardino City Unified School District, the County Superintendent of Schools, the State Controller, and to the CDE by December 15 of each year.

The independent auditor will provide a listing of any audit exceptions and deficiencies to OFY-San Bernardino. These noted deficiencies will be resolved to the District’s satisfaction in a timely manner. To achieve this, the Chief Financial Officer will review any audit exceptions or deficiencies and report to OFY-San Bernardino Board of Directors with recommendations on how to resolve them. The OFY-San Bernardino Board will provide the deficiency listing along with a resolution plan 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. OFY-San Bernardino will follow up with the San Bernardino City Unified School District to provide assurance that the resolution plan is being properly implemented. Audit appeals or requests for summary review shall be submitted to the Education Audit Appeals Panel (“EAAP”) in accordance with applicable law.

The audited financial statements will include a complete set of financial statements showing revenues, expenses, assets, liabilities, equity, and cash flow. Additionally, the financial statements will contain notes and disclosures considered integral to the accompanying financial statements. Finally, there may be supplementary schedules or data included with the statements.

In addition, an independent auditor will perform agreed upon procedures to review student records and verify that the stated ADA is calculated and reported accordingly as set forth in the California Education Code and California Code of Regulations.

The independent financial audit of OFY-San Bernardino is a public record to be provided to the public upon request.
Element 10: Pupil Suspension and Expulsion Policies

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

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

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

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

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

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

A. Suspension/Expulsion Procedures

OFY-San Bernardino shall adhere to the suspension and expulsion policy established by OFY-San Bernardino. Student behavioral expectations are described in OFY-San Bernardino’s Student Handbook, provided in Exhibit 23: Student Handbook. This handbook shall be available to parents and students upon enrollment through the OFY-San Bernardino website. Students will be expected to conform to OFY-San Bernardino’s rules and expectations. Teachers and staff will monitor student behavior during OFY-San Bernardino’s hours of operation and during experiential learning trips. If a problem should arise, the teacher will contact the student’s family and may request a parent-teacher conference to discuss the matter.

OFY-San Bernardino’s policies and procedures regarding student discipline are set forth below. Among other things, the policy sets forth the grounds for suspensions and expulsions applicable to all students in a manner that is consistent with Federal law. Parents, students, and staff may provide input on the design and implementation of OFY-San Bernardino’s discipline policy to the Board of Directors. The Board of Directors may periodically amend the policy, develop additional criteria, and add alternative methods of discipline; provided, however, that all such amendments and additions ensure that students are afforded due process to the extent required by applicable law.

Element 10: Suspension and Expulsion Policies
OFY-San Bernardino Charter Renewal Petition: 2019 -2024
If a student is expelled or leaves OFY-San Bernardino without graduating or completing the school year for any reason, OFY-San Bernardino will notify the Superintendent of the school district of the student’s last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the student, including transcripts or a report card and health information.

1. **Suspension and Expulsion Policy and Procedure**

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all students at the Charter School. In creating this policy, the Charter School has reviewed Education Code Section 48900 et seq. which describes the non-charter schools’ list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 et seq. In no event shall the Charter School adopt an additional or alternative process for dismissing, removing, or otherwise involuntarily removing a student who attends the Charter School from further attendance at Charter School separate from or in addition to Charter School’s procedures for suspension and expulsion. By February 18, 2019, the Charter School shall provide the District with copies of the revised Parent/Student Handbook & Contract and any other Exhibits describing policies relating to the suspension, expulsion, and/or involuntary dismissal of OFY-San Bernardino students updated to be consistent with the suspension and expulsion policies outlined in this Petition, including the grounds for suspension and expulsion.

The Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion. These procedures may be amended without the need to materially revise the charter, subject to the prior written approval of the SBCUSD Board, so long as the amendments comport with legal requirements.

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

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

The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that this Policy and Procedures are available on request at each resource center.

Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion.
A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. The Charter School will follow all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in accordance due process to such students.

No student shall be involuntarily removed by the Charter School for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the student or the student’s parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student’s educational rights holder, and shall inform him or her of the right to initiate the procedures specified below for suspensions, before the effective date of the action. If the student’s parent, guardian, or educational rights holder initiates the procedures specified below for suspensions, 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 suspensions or expulsions pursuant to the suspension and expulsion procedures described below.

A. Grounds for Suspension and Expulsion of Students

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

B. Enumerated Offenses

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

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

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

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

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

e) Committed or attempted to commit robbery or extortion.

f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.

g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.

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

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

j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.

k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. This section shall apply to pupils in any of grades 4 to 12, inclusive.

l) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.

m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

n) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.

o) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.

p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

q) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in
physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.

r) Made terroristic threats against school personnel or volunteers and/or a student or group of students and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars ($1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.

s) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

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

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

v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.

1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her
age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.

ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.

iii. Causing a reasonable student to experience substantial interference with his or her academic performance.

iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

2) “Electronic Act” means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

i. A message, text, sound, video, or image.

ii. A post on a social network Internet Web site including, but not limited to:
   (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
   (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
   (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

iii. An act of cyber sexual bullying.
   (a) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
   (b) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

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

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

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

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

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

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

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

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

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

e) Committed or attempted to commit robbery or extortion.

f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.

g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.

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

j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.

k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.

l) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.

m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

n) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.

o) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.

p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

q) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.

r) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars ($1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in

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sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.

s) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

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

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

v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.

1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.

ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.

iii. Causing a reasonable student to experience substantial interference with his or her academic performance.

iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

2) “Electronic Act” means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless
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w) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(a)-(b).

x) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal or designee’s concurrence.
4. Non-Discretionary Expellable Offenses: Students must be recommended for expulsion for any of the following acts when it is determined pursuant to the procedures below that the pupil:

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

If it is determined by the Administrative Panel and/or the Charter School Board that a student has brought a firearm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994. In such instances, the pupil shall be provided due process rights of notice and a hearing as required in this policy.

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

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

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

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

The conference may be omitted if the Principal or designee determines that an emergency situation exists. An “emergency situation” involves a clear and present danger to the lives, safety or health of students or Charter School personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student’s right to return to school for the purpose of a conference.

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense, in accordance with Education Code Section 47605(b)(5)(J)(l). This conference shall be held within two (2) school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for failure of the pupil’s
parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil’s parent or guardian at the conference.

2. Notice to Parents/Guardians

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

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of expulsion by the Principal or Principal’s designee, the pupil and the pupil’s parent/guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil’s parents, unless the pupil and the pupil’s parents fail to attend the conference.

This determination will be made by the Principal or designee upon either of the following: 1) the pupil’s presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil’s suspension will be extended pending the results of an expulsion hearing.

D. Authority to Expel

As required by Education Code Section 47605(b)(5)(J)(ii), students recommended for expulsion are entitled to a hearing adjudicated by a neutral officer to determine whether the student should be expelled. The procedures herein provide for such a hearing and the notice of said hearing, as required by law.

A student may be expelled either by the neutral and impartial Charter School Board following a hearing before it or by the Charter School Board upon the recommendation of a neutral and impartial Administrative Panel, to be assigned by the Board as needed. The Administrative Panel shall consist of at least three members who are certificated and neither a teacher of the pupil or a member of the Charter School Board. Each entity shall be presided over by a designated neutral hearing chairperson. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Board shall make the final determination.

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

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

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

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

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

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.

2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness’ use prior to and during breaks in testimony.
3. At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.

4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.

5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.

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

7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness’ presence is both desired by the witness and will be helpful to the Charter School. The entity presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.

8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.

9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.

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

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

H. Presentation of Evidence

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

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

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

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

I. Written Notice to Expel

The Principal or designee, following a decision of the Board to expel, shall send written notice of the decision to expel, including the Board’s adopted findings of fact, to the student or parent/guardian. This notice shall also include the following: (a) Notice of the specific offense committed by the student; and (b) Notice of the student’s or parent/guardian’s obligation to inform any new district in which the student seeks to enroll of the student’s status with the Charter School.

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

J. Disciplinary Records

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

K. No Right to Appeal

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

L. Expelled Pupils/Alternative Education

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

M. Rehabilitation Plans

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

N. Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the Board following a meeting with the Principal or designee and the pupil and parent/guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Principal or designee shall make a recommendation to the Board following the meeting regarding his or her determination. The Board shall then make a final decision regarding readmission during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the Brown Act. The pupil’s readmission is also contingent upon the Charter School’s capacity at the time the student seeks readmission.

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

1. Notification of District and/or SELPA

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

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

3. Procedural Safeguards/Manifestation Determination

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

   a. If the conduct in question was caused by, or had a direct and substantial relationship to, the child’s disability; or

   b. If the conduct in question was the direct result of the local educational agency’s failure to implement the IEP/504 Plan.

If the Charter School, the parent, and relevant members of the IEP/504 Team determine that either of the above is applicable for the child, the conduct shall be determined to be a manifestation of the child’s disability.

If the Charter School, the parent, and relevant members of the IEP/504 Team make the determination that the conduct was a manifestation of the child’s disability, the IEP/504 Team shall:

   a. Conduct a functional behavioral assessment and implement a behavioral intervention plan for such child, provided that the Charter School had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;

   b. If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and

   c. Return the child to the placement from which the child was removed, unless the parent and the Charter School agree to a change of placement as part of the modification of the behavioral intervention plan.

If the Charter School, the parent, and relevant members of the IEP/504 Team determine that the behavior was not a manifestation of the student’s disability and that the conduct in question was

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not a direct result of the failure to implement the IEP/504 Plan, then the Charter School may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

4. Due Process Appeals

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or the Charter School, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer in accordance with state and federal law, including 20 U.S.C. Section 1415(k), until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, unless the parent and the Charter School agree otherwise.

In accordance with 20 U.S.C. Section 1415(k)(3), if a parent/guardian disagrees with any decision regarding placement, or the manifestation determination, or if the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, the parent/guardian or Charter School may request a hearing.

In such an appeal, a hearing officer may: (1) return a child with a disability to the placement from which the child was removed; or (2) order a change in placement of a child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of such child is substantially likely to result in injury to the child or to others.

5. Special Circumstances

Charter School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability who violates a code of student conduct contained in the Student Handbook.

The Principal or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) school days without regard to whether the behavior is determined to be a manifestation of the student’s disability in cases where a student:

   a. Carries or possesses a weapon, as defined in 18 U.S.C. Section 930, to or at school, on school premises, or to or at a school function;

   b. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or

   c. Has inflicted serious bodily injury, as defined by 20 U.S.C. Section 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.
6. Interim Alternative Educational Setting

The student’s interim alternative educational setting shall be determined by the student’s IEP/504 Team.

7. Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been identified as an individual with disabilities pursuant to IDEA and who has violated the Charter School’s disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if the Charter School had knowledge that the student was disabled before the behavior occurred.

The Charter School shall be deemed to have knowledge that the student had a disability if one of the following conditions exists:

a. The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to Charter School supervisory or administrative personnel, or to one of the child’s teachers, that the student is in need of special education or related services.

b. The parent has requested an evaluation of the child.

c. The child’s teacher, or other Charter School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other Charter School supervisory personnel.

If the Charter School knew or should have known the student had a disability under any of the three (3) circumstances described above, the student may assert any of the protections available to IDEA-eligible children with disabilities, including the right to stay-put.

If the Charter School had no basis for knowledge of the student’s disability, it shall proceed with the proposed discipline. The Charter School shall conduct an expedited evaluation if requested by the parents; however the student shall remain in the education placement determined by the Charter School pending the results of the evaluation.

The Charter School shall not be deemed to have knowledge that the student had a disability if the parent has not allowed an evaluation, refused services, or if the student has been evaluated and determined to not be eligible.
Element 11: Employee Retirement System

**Governing Law:** 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(b)(5)(K).

A. Retirement Benefits

All staff members of OFY-San Bernardino will be covered by Federal Social Security pursuant to applicable law. With respect to additional employee benefits, OFY-San Bernardino will comply with all applicable State and Federal laws governing such benefits. The Charter School shall notify all applicants for positions within the charter school that accepting employment in the charter system may exclude the applicant from further coverage in the applicant’s current retirement system.

OFY-San Bernardino will offer a 403B Retirement Plan to eligible employees. Regular (non-temporary/substitute) employees who qualify may also receive a capped matching contribution. The Director of Human Resources or designee will be responsible for enrolling eligible employees and ensuring that appropriate arrangements for that coverage have been made.
Element 12: Public School Attendance Alternatives

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

No student shall be required to attend OFY-San Bernardino.

Students residing in the District who choose not to attend OFY-San Bernardino may attend school within the District according to District policy or at another school district or school within the district through the District’s intra and inter-district transfer policies. Parents and guardians of each student enrolled in the Charter School will be informed on admissions forms that students have no right to admission in a particular school of a local education agency as a consequence of enrollment in the Charter School, except to the extent that such a right is extended by the local education agency.
Element 13: Employee Return Rights

**Governing Law:** 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(b)(5)(M).

A. Employees Return Rights

No public school District employees shall be required to work at OFY-San Bernardino. Employees of the San Bernardino City Unified School District who choose to leave the employment of the District to work at OFY-San Bernardino have no automatic rights of return to the District after employment by OFY-San Bernardino, unless specifically granted by the District through a leave of absence or other agreement or as may be required by law. OFY-San Bernardino employees shall have any right upon leaving the District to work in the Charter School that the District may specify, and any rights of return to employment in a school District after employment in OFY-San Bernardino that the District may specify, and any other rights upon leaving employment to work in OFY-San Bernardino that the District determines to be reasonable and not in conflict with any law.

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. Employment by the Charter School provides no rights of employment at any other entity, including any rights in the case of closure of the Charter School.
Element 14: Dispute Resolution Process

**Governing Law:** The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to the provisions of the charter. Education Code Section 47605(b)(5)(N).

A. Resolving Disputes Relating to Provisions of the Charter

OFY-San Bernardino recognizes that it cannot bind the District to a dispute resolution procedure to which the District does not agree. The following policy is intended as a starting point for a discussion of dispute resolution procedures. OFY-San Bernardino is willing to consider changes to the process outlined below as suggested by the District.

OFY-San Bernardino and the District will be encouraged to attempt to resolve any disputes amicably and reasonably without resorting to formal procedures.

In the event of a dispute between OFY-San Bernardino and San Bernardino City Unified School District, OFY-San Bernardino staff, employees and Board members of OFY-San Bernardino and the District agree to apprise the other, in writing, of the specific disputed issue(s) (“dispute statement”) and to refer the issue to the District Superintendent and Principal of OFY-San Bernardino or their respective designees. In the event that the District Board of Education believes the dispute relates to an issue that could potentially lead to revocation of the charter, OFY-San Bernardino requests that this shall be specifically noted in the written dispute statement, although it recognizes it cannot legally bind the District to do so. However, participation in the dispute resolution procedures outlined in this section shall not be interpreted to impede or act as a pre-requisite to the District’s ability to proceed with revocation in accordance with Education Code Section 47607 and its implementing regulations.

Within 10 days of receipt of the dispute statement OFY-San Bernardino Principal and the District Superintendent or their respective designees, shall meet and confer in an attempt to resolve the dispute. If this joint meeting fails to resolve the dispute, the Principal and Superintendent, or their respective designees, and their respective legal counsel shall meet again within 10 days from the date of the initial meeting to meet and confer in an attempt to resolve the dispute. If this second meeting fails to resolve the dispute, voluntary mediation may be commenced with the agreement of both the District and OFY-SB. Voluntary mediation, if agreed to by both parties, shall be held within sixty (60) business days after the dispute statement. The finding or recommendation of any mediator shall be non-binding, unless the governing authorities of OFY-San Bernardino and the District jointly agree to bind themselves. Unless jointly agreed, the process involving the assistance of a third-party mediator shall conclude within 45 days from the date the parties jointly identified a mediator. The cost of the mediator shall be split equally between the District and OFY-SB. Each party shall be solely responsible for its own attorney’s fees. All timelines and procedures in this section may be revised upon mutual written agreement of the District and OFY-San Bernardino.

If, after taking the above steps, the parties are unable to mutually resolve the dispute, the Charter School shall be given a reasonable period to correct the violation, unless the District indicates in writing the violation constitutes a severe and imminent threat to the health and safety of the Charter School’s pupils.

San Bernardino City Unified School District reserves the right to take any action it deems appropriate and OFY-San Bernardino reserves the right to seek legal redress for any such actions under the law.

San Bernardino County shall be the proper venue for any mediation, litigation, or other dispute resolution process.
B. Internal Disputes

OFY-San Bernardino shall have an internal dispute resolution process to be used for all internal disputes related to OFY-San Bernardino’s operations. OFY-San Bernardino shall also maintain a Uniform Complaint Policy and Procedures as required by state law. Parents, students, Board members, volunteers, and staff at OFY-San Bernardino 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 OFY-San Bernardino. Please see Exhibit 25: Uniform Complaint Policy.
Element 15: Closure Procedures

Governing Law: 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(b)(5)(O).

A. Closure Protocol

The following procedures shall apply in the event that OFY-San Bernardino closes, regardless of the reason for the closure. If it is feasible to do so, while still maintaining a viable and appropriate educational program, OFY-San Bernardino will close at the end of an academic year. Mid-year closures will be avoided if possible, and OFY-San Bernardino and the District will work together to ensure that an appropriate, viable, and legally compliant educational program continues until the end of the school year.

Closure of OFY-San Bernardino will be documented by official action of OFY-San Bernardino’s Board of Directors. The action will identify the reason for closure. The official action will also identify the Principal as the person responsible for closure-related activities.

OFY-San Bernardino will be the responsible entity to conduct closure activities and will fund closure activities.

Upon determination of closure, OFY-San Bernardino will promptly notify parents, guardians and students of OFY-San Bernardino, the San Bernardino City Unified School District, the San Bernardino County Office of Education, the Charter School’s SELPA, if any, the retirement systems that employees participate in, and the CDE. These notices will include all information required by Title 5 of the California Code of Regulations Section 11962.

OFY-San Bernardino will ensure that the notification to the parents, guardians and students of the Charter School of the closure provides information to assist parents and students in locating suitable alternative programs. This notice will be provided promptly following the Board’s decision to close OFY-San Bernardino.

OFY-San Bernardino will also develop a list of students in each grade level and the classes they have completed, together with information on the students’ district of residence, which they will provide to the entity responsible for closure-related activities.

As applicable, OFY-San Bernardino will provide parents, students, and San Bernardino City Unified School District with copies of all appropriate student records and will otherwise assist students in transferring to their next school. All transfers of student records will be made in compliance with the Family Educational Rights and Privacy Act 20 U.S.C. § 1232(g). OFY-San Bernardino will ask the District to store original records of the Charter School’s students. All student records of OFY-San Bernardino shall be transferred to the District upon Charter School closure. If the District will not or cannot store the records, OFY-San Bernardino shall work with the County Office of Education to determine a suitable alternative location for storage.

All state assessment results, special education records, and personnel records will be transferred to and maintained by the entity responsible for closure-related activities in accordance with applicable law.

OFY-San Bernardino will prepare final financial records as soon as reasonably practical and will have an independent audit completed no more than six months after closure. OFY-San Bernardino will pay for the
final audit. The audit will be prepared by a qualified CPA selected by OFY-San Bernardino and will be provided to San Bernardino City Unified School District upon completion. The final audit will include an accounting of all financial assets, including cash and accounts receivable and an inventory of property, equipment, and other items of material value, an accounting of the liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation, and an assessment of the disposition of any restricted funds received by or due to OFY-San Bernardino.

OFY-San Bernardino will complete and file any annual reports required pursuant to Education Code 47604.33.

On closure of OFY-San Bernardino, all assets of OFY-San Bernardino, including, but not limited to, all leaseholds, personal property, intellectual property, and all ADA apportionments and other revenues generated by students attending OFY-San Bernardino will remain the sole property of OFY-San Bernardino, and upon the dissolution of the nonprofit public benefit corporation, shall be distributed in accordance with the Articles of Incorporation. Any assets acquired from the District or District property will be promptly returned upon OFY-San Bernardino closure to the District. The distribution shall include return of any grant funds and restricted categorical funds to their source in accordance with the terms of the grant or state and federal law, as appropriate, which may include submission of final expenditure reports for entitlement grants and the filing of any required Final Expenditure Reports and Final Performance Reports, as well as the return of any donated materials and property in accordance with any conditions established when the donation of such materials or property was accepted.

On closure, OFY-San Bernardino shall remain solely responsible for all liabilities arising from the operation of the Charter School.

As OFY-San Bernardino is operated as a non-profit public benefit corporation, should the corporation dissolve with the closure of OFY-San Bernardino, the Board will follow the procedures set forth in the California Corporations Code for the dissolution of a non-profit public benefit corporation and file all necessary filings with the appropriate state and federal agencies.

As specified by the Budget in Exhibit 26, OFY-San Bernardino will utilize the reserve fund to undertake any expenses associated with the closure procedures identified above.

Additional Charter Requirements

**Governing Law:** The governing board of a school district shall require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the charter school, including, but not limited to, the facilities to be used by the charter school, the manner in which administrative services of the charter school are to be provided, and potential civil liability effects, if any, upon the charter school and upon the school district. The description of the facilities to be used by the charter school shall specify where the charter school intends to locate. The petitioner or petitioners shall also be required to provide financial statements that include a proposed first-year operational budget, including startup costs, and cash flow and financial projections for the first three years of operation. Education Code 47605(g).

A. Administrative Services

OFY-San Bernardino has contracted with Pathways Management Group, Inc., a California 501 (c) (3) nonprofit public benefit corporation (“PMG”), for the provision of administrative services. These services
include, but are not limited to, financial management, accounts payable/receivable, payroll, human resources, and instructional program development. Financial and operational reviews and reports are presented to management on a monthly basis. PMG provides high-quality fiscal and operational services to charter schools that serve a high-risk student population. The PMG leadership team is comprised of individuals who provide direct assistance to OFY-San Bernardino. See Exhibit 11: Leadership Team.

At any time OFY-San Bernardino may discuss the possibility of purchasing administrative services from the District. If the District is interested, the specific terms and cost for these services will be the subject of a memorandum of understanding between the Charter School and the District and subject to District availability and willingness to provide such services.

B. Reporting Requirements

1. **Budget**

   See Exhibit 26: OFY-San Bernardino’s 3-Year Budget and Cash Flow.

2. **Financial Reporting**

   In accordance with Education Code section 47604.33 OFY-San Bernardino shall provide reports to the District and the County Superintendent of Schools as follows, and shall provide additional fiscal reports as requested by the District:

   1. By July 1 a preliminary budget for the current fiscal year
   2. By July 1, a Local Control and Accountability Plan (LCAP) and an annual update to the LCAP required pursuant to Ed. Code Section 47606.5.
   3. By December 15, an Interim financial report for the current fiscal year reflecting changes through Oct. 31. Additionally, on December 15, a copy of the Charter School’s annual, independent financial audit report for the preceding fiscal year shall be delivered to the District, State Controller, California Department of Education and County Superintendent of Schools.
   4. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
   5. By September 15, a final unaudited actuals report for the full prior year. The report submitted to the District shall include an annual statement of all the Charter School’s receipts and expenditures for the preceding fiscal year.

OFY-San Bernardino will provide reporting to the District as required by law and as requested by the District including, but not limited to, the following:

- California Basic Educational Data System (“CBEDS”)
- Average Daily Attendance (ADA) reports
- All financial reports required by Education Code sections 47604.33 and 47605(m)
- School Accountability Report Card (SARC)
- Local Control and Accountability Plan

OFY-San Bernardino will also provide the following data and reports as required by the District:

a. If placed on a “Financial Watch List” by the County Office of Education or the Fiscal Crisis and Management Assistance Team, monthly statements of accounts;  
b. Test results for all state mandated assessments, which are:
i. ELPAC
ii. Spanish Assessment of Basic Education (“SABE”)
iii. CAASPP and CAST results

Changes in reporting requirements may be incorporated by reference into the charter when OFY-San Bernardino and District update the MOU.

In accordance with Education Code Section 69432.9, OFY-San Bernardino will electronically submit the grade point average of all students in grade 12 to the Student Aid Commission each academic year for use in the Cal Grant program after notifying the students and their parents/guardians as applicable, by October 14 of each year, of the opportunity to opt out of being deemed a Cal Grant applicant within a specified period of time of at least 30 days.

C. Cash Flow and Reserve

To help the District monitor and assess the Charter School’s fiscal viability, the Charter School shall maintain a reserve of three to five percent or greater of expenditures in each respective fiscal years based on the Charter School’s enrollment as follows: the greater of 5% or $66,000 for 0 to 300 ADA, the greater of 4% or $66,000 for 301-1,000 ADA; and 3% for 1,001 or more ADA. Should the Charter School fail to meet the corresponding minimum reserve requirement, the District, in assessing fiscal viability, may consider documents submitted by the Charter School supporting its fiscal viability.

Further, as stated above, all “soft” revenues anticipated for the coming year, will not be included in the current year’s budget, but for the coming year budget unless those funds are in the bank as of July 1 of the current fiscal year.

D. Banking Arrangements

The Charter School will reconcile the ledger(s) with its bank accounts or accounts on a monthly basis and prepare a balance sheet. A cash flow statement shall be submitted to the District. The Charter School will deposit all funds received as soon as practical upon receipt. A petty cash fund, not to exceed five hundred dollars ($500), may be established with an appropriate ledger to be reconciled quarterly in accordance with procedures adopted by the OFY-SB Board.

E. Property Inventory

The Charter School’s Principal or designee shall establish and maintain an inventory of all Charter School non-consumable goods and equipment valued at more than eight hundred dollars ($800). This inventory shall include the original purchase price and date, a brief description, serial numbers, and other information appropriate for documenting the Charter School’s assets. Property shall be inventoried on an annual basis and lists of any missing property shall be presented to the Charter School’s governing board. Said inventory, or copies thereof, shall be provided to the District upon request.

F. Litigation

The Charter School shall notify the District of any threat of litigation or legal action taken by any party against the Charter School or any employee, including any Special Education complaint, or due process hearing within 10 calendar days of the Charter School’s receiving said notice.
G. School Name

The Charter School shall be known as Options For Youth – San Bernardino. The Charter School may not change its name, nor operate under any other name, without the prior express written approval of the Superintendent or designee.

H. Oversight Fee

The District shall charge OFY-SB a fee for supervisory oversight of OFY-SB, up to any maximum permitted by law (currently described and limited in Education Code section 47613), currently set at 1%. OFY-SB acknowledges that the District’s actual costs in conducting its oversight obligations will meet or exceed the maximum percentage permitted by law and the District shall not be required to submit documentation of its actual oversight costs.

I. Debts and Obligations

The Charter School shall be solely responsible for all costs and expenses related to the Charter and its operations, including, but not limited to, costs of insurance, reserves, staff and operations.

The Charter School shall have no authority to enter contracts for or on behalf of the District. Any contracts, purchase orders, or other documents to which District is not a party and/or which are not approved or ratified by the District Board as required by law, shall be unenforceable against the District and shall be the Charter School’s sole responsibility.

The Charter School shall attempt to include the following language in any and all contracts it enters into:

The Charter School shall have no authority to enter contracts for or on behalf of the San Bernardino City Unified School District or the San Bernardino City Unified School District Board of Trustees. The parties to this agreement understand, acknowledge, and agree that any contracts, purchase orders, or other documents to which neither the San Bernardino City Unified School District or the San Bernardino City Unified School District Board of Trustees is a specific party and/or which are not approved or ratified by the San Bernardino City Unified School District Board of Trustees and, as required by law, shall be unenforceable against the San Bernardino City Unified School District Board of Trustees or the San Bernardino City Unified School District and shall be the Charter School’s sole responsibility.

J. Independent Entity

The Charter School and its officers, board members, employees, shall operate and provide the school services pursuant to this Charter as a wholly independent entity. The Charter School and District shall not in any way or for any purpose become or be deemed to be agents, partners, joint venturers, or a joint enterprise. The District shall not be liable for the actions or liabilities of Charter School.

K. Facilities

**Governing Law:** The facilities to be utilized by the school. The description of the facilities to be used by the charter school shall specify where the school intends to locate. Education Code Section 47605(g).
School sites are typically configured into three classrooms, one administrative office, an open student work space, a conference space, a student meeting space, a kitchen area, a science wet lab, and appropriate restroom facilities for staff and students. The space required to implement the educational model ranges from 7,000 to 9,000 square feet.

OFY-San Bernardino will comply with applicable provisions of Education Code Sections 47605 and 47605.1 regarding the location of the school sites. The school sites will be properly zoned and cleared for student occupancy by appropriate local authorities. OFY-San Bernardino will provide San Bernardino City Unified School District with a written agreement regarding OFY-San Bernardino’s right to use the selected location. OFY-San Bernardino will locate a resource center within the boundaries of the San Bernardino City Unified School District if required by state statute.

OFY-San Bernardino has provided documentation of adequate insurance coverage, including liability insurance, to the San Bernardino City Unified School District. The insurance will cover all acquired or leased property intended for use as a school site by OFY-San Bernardino and will be based on the type and amount of insurance coverage maintained in similar settings.

The facilities for OFY-San Bernardino are located at the following sites:

- OFY- Moreno Valley
  23651 Sunnymead Blvd
  Moreno Valley, CA 92553

- OFY - San Bernardino 1
  985 S. E Street
  San Bernardino, CA 92408

- OFY- San Bernardino 2
  1148 E. Highland Ave.
  San Bernardino, CA 92404

- OFY-San Bernardino 3
  1136 N Mt Vernon Ave
  San Bernardino, CA 92411

Additionally, the District will permit OFY-SB to operate a fourth site within District boundaries provided that OFY-SB provide the District with 30-days written notice prior to opening and with the certificate of occupancy and all other necessary documents for approval by the District Superintendent or designee. Provided that such requirements are met and OFY-SB’s operation of the fourth site is approved by the District Superintendent or designee, no further action by the San Bernardino City Unified School District Governing Board shall be required for OFY-SB to commence operations at the fourth site within the District.

The San Bernardino City Unified High School District agrees that OFY-San Bernardino may only operate the resource centers identified above.
However, the parties acknowledge and understand that extenuating circumstances such as the expiration or termination of a lease or unsuitability of the current facility may cause the location of the resource centers named above to be changed from time to time during the Charter Term. Should the Charter School desire to relocate any of its existing resource centers, the Charter School shall provide the District with forty-five (45) days' written notice of such intent, as well as notification of the proposed location of the alternate resource center. Concurrently with the notification, the Charter School will submit financial information evidencing the viability of the proposed resource center and the overall fiscal impact. The District shall have thirty (30) days to respond. Additionally, because of the compelling public interest and aid to the economy when students achieve a high school diploma, OFY-San Bernardino may open additional resource centers if and when OFY-San Bernardino determines the need is substantiated through enrollment and related funding to support additional resource centers is available. However, any new resource center(s) or facilities may only be added if consistent with the law and only after approval of a material revision by the District Board. The Charter School shall comply with applicable provisions of Education Code Sections 47605 and 47605.1 as to the location of its resource centers.

L. Potential Civil Liability Effects

**Governing Law:** Potential civil liability effects, if any, upon the school and upon the school district. *California Education Code Section 47605(g).*

OFY-San Bernardino is operated as a California non-profit public benefit corporation. This corporation is organized and operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code and California Revenue and Taxation Code Section 23701(d).

Pursuant to Education Code Section 47604(c), an authority that grants a charter to a charter school operated by or as a non-profit public benefit corporation shall not be liable for the debts or obligations of the charter school or for claims arising from the performance of acts, errors or omissions by the charter school if the authority has complied with all oversight responsibilities required by law. OFY-San Bernardino shall work diligently to assist the District in meeting any and all oversight obligations under the law, including monthly meetings, reporting, or other District-requested protocol to ensure the District shall not be liable for the operation of OFY-San Bernardino.

The corporate bylaws of OFY-San Bernardino provide for indemnification of the Charter School’s Board, officers, agents, and employees, and the Charter School purchases and maintains general liability insurance, Board Members and Officers insurance, and fidelity bonding to secure against financial risks.

The Charter School Board maintains appropriate risk management practices as discussed herein, including screening of employees, establishing codes of conduct for students, and dispute resolution.

M. Indemnification

To the fullest extent permitted by law, OFY-SB agrees to promptly, fully and completely indemnify, defend through counsel reasonably acceptable to the District and hold harmless the District, the District Board, and each of their members, officers, Board appointed groups, committees, boards, and any other Board appointed body, and administrators, employees and attorneys, agents, representatives, volunteers, successors, and assigns (“Indemnitees”) from and against any and all claims, demands, actions, causes of action, suits, losses, expenses, costs, penalties, obligations, or liabilities of whatever nature or kind,
including, but not limited to, attorney’s fees and litigation costs and interest, that in any way arise out of or relate to any actual or alleged act or omission on the part of OFY-SB, and/or on the part of the board of directors, members, officers, board appointed groups, committees, boards, and any other OFY-SB appointed body, and administrators, employees, attorneys, agents, representatives, volunteers, subcontractors, invitees, successors, and/or assigns of OFY-SB in any way related to the performance of and/or to the failure to perform in whole or in part any obligation under this Charter, any memorandum of understanding (MOU) between the parties (except to the extent specified in such MOU), and/or in any way related to the operation or operations of OFY-SB or of any other facility, program, or activity.

The obligations of OFY-SB to defend the District and the other Indemnitees identified herein is not contingent upon any assertion or finding that the person or entity indemnified is liable by reason of a non-delegable duty nor shall be contingent upon there being an acknowledgement or a determination of the merit of any claim, demand, action, cause of action, or suit; and those obligations will be deemed to be triggered immediately upon the assertion of any claim, demands, actions, cause of action, or suit within the scope of this section. However, nothing in this paragraph shall be constructed to obligate OFY-SB to indemnify Indemnitees for any claims, demands, actions, causes of action, suits, losses, expenses, costs, penalties, obligations, or liabilities resulting from an Indemnitee’s sole negligence or willful misconduct, where such sole negligence, active negligence, or willful misconduct has been adjudged by the final and binding findings of a court of competent jurisdiction; except in instances where the sole negligence or willful misconduct of an Indemnitee accounts for only part of the loss(es) involved, the indemnity obligations of OFY-SB shall be for that portion of the loss(es) not due to the sole negligence or the willful misconduct of such Indemnitees.

OFY-SB further specifies that its indemnification, defense, and hold harmless obligations pursuant to this Charter and any MOU between the parties extend to indemnify, defend, and hold the Indemnitees harmless from all financial obligations in the event of an unbalanced budget.

OFY-SB obligation to indemnify, defend, and hold harmless the Indemnitees, as set forth in this section of the Charter and any MOU between the parties, shall survive the revocation, expiration, termination, or cancellation of this Charter and or any other act or event that would end the OFY-SB right to operate as a charter school pursuant to its Charter or cause OFY-SB to cease operations.

Pursuant to Education Code Section 47604(c), an entity that grants a charter to a charter school operated by or as a non-profit public benefit corporation shall not be liable for the debts or obligations of the charter school, or for claims arising from the performance of acts, errors, or omissions by the charter school, if the authorizing entity has complied with all oversight responsibilities required by law. OFY-SB shall at all times be operated by or as a nonprofit public benefit corporation.

Additionally, to the fullest extent permitted by law, OFY-SB agrees to promptly, fully and completely indemnify, defend through counsel reasonably acceptable to the District and hold harmless the Indemnitees from and against any and all claims, demands, actions, causes of action, suits, losses, expenses, costs, penalties, obligations, or liabilities of whatever nature or kind, including, but not limited to attorney’s fees and litigation costs and interest, that in any way arise out of or relate to claims and/or allegations that OFY-SB has violated Education Code section 47605 or 47605.1 with respect to the location of any resource center operated by OFY-SB.

Nothing in this provision shall serve to reduce or excuse OFY-SB’s obligations to obtain and maintain the insurance required by this Charter and/or any MOU and/or its obligation to indemnify, defend, and hold
harmless the Indemnitees, as set forth in this Charter and/or any MOU between the parties, nor shall limit any rights Indemnitees may have under applicable law, including without limitation, the right of implied indemnity.

N. Insurance Requirements

OFY-SB shall purchase and maintain in full force and effect at all times during the term of this Charter, insurance in amounts and types and subject to the terms approved by the San Bernardino City Unified School District’s risk manager as specified below.

No coverage shall be provided to OFY-SB by the District, including self-insured programs or commercial insurance policies that the District may procure. In the event OFY-SB adds locations (which may only be done through an approved material revision to its Charter), each OFY-SB location shall meet the below insurance requirements individually. It shall continue to be OFY-SB’s responsibility, not the District’s, to monitor its vendors, contractors, partners, or sponsors for compliance with the insurance requirements.

OFY-SB’s obligations to acquire and maintain insurance as provided in this section of the Charter shall survive the revocation, expiration, termination, or cancellation of this Charter or any MOU or any other agreement between the parties or any other act or event that would end OFY-SB’s right to operate as a charter school pursuant to its Charter or cause OFY-SB to cease operations until OFY-SB has fully complied with the Closure Protocol set forth in this Charter and/or any closure or termination procedures or requirements in any MOU or other agreement between the parties and any additional closure procedures required by law, regulation, or required by the California Department of Education.

Without limiting this Charter or any MOU or other agreement between the parties and/or the defense, indemnity, and hold-harmless obligations of OFY-SB, throughout the life of the Charter and any MOU or other agreement between the parties, OFY-SB shall obtain, pay for, and maintain in full force and effect insurance policies issued by an insurer or insurers admitted by the California Insurance Commissioner to do business in the State of California and rated not less than “A or A-VII” by A.M. Best Insurance Rating Guide, or, in the case of self-insurance, with a California Joint Powers Authority, a memorandum or memoranda of coverage providing coverage as follows:

1. COMMERCIAL GENERAL LIABILITY insurance and/or coverage, which shall include coverage for: “bodily injury,” “property damage,” “advertising injury,” including, but not limited to, coverage for products and completed operations, sexual abuse/molestation, and sexual harassment with combined single limits of not less than $5,000,000 per occurrence and $20,000,000 in the aggregate. Additional, Excess Liability coverage shall be procured in the amount of $10,000,000 per occurrence.

2. COMMERCIAL AUTO LIABILITY insurance and/or coverage, which shall include coverage for owned, non-owned, and hired autos, with bodily injury and property damage liability limits not less than $5,000,000 per person and per occurrence.

3. WORKERS’ COMPENSATION insurance and/or coverage, as required by applicable law, with not less than statutory limits.
4. **PROPERTY** insurance and/or coverage, which shall include: (a) coverage for real property on an “all risk” basis with full replacement cost coverage and code upgrade coverage; (b) Fire Legal Liability, to protect against liability for portions of premises leased or rented; and (c) Business Personal Property, to protect on a Broad Form, named peril basis, for all furniture, equipment, and supplies of OFY-SB. If any SBCUSD property is leased, rented or borrowed, it shall also be insured by OFY-SB in the same manner as (a), (b), and (c) above.

5. **PROFESSIONAL LIABILITY** insurance and/or coverage for educators legal liability and error and omissions, including, but not limited to, coverage for sexual abuse/molestation and sexual harassment, in an amount not less than $1,000,000 per “claim” with an aggregate policy limit of $10,000,000.

All of the liability insurance and/or coverage required by the foregoing provisions of this Charter shall: (a) be endorsed to name the District, District Board members, officers, District Board appointed groups, committees, boards, and any other District Board appointed body, and administrators, employees and attorneys, agents, representatives, volunteers, successors, and assigns (collectively hereinafter the “District and the District Personnel”) as additional insureds; (b) insure the District and District personnel to the same extent as OFY-SB; (c) be primary insurance, and any insurance and/or self-insurance or coverage maintained by the District and/or by the District Personnel shall be in excess of OFY-SB’s insurance and/or coverage required by the foregoing provisions of this Charter and shall not contribute with the primary insurance and/or coverage to be provided by OFY-SB; (d) be on an “occurrence” basis rather than a “claims made” basis, excepting only educators’ legal liability and errors and omissions insurance and/or coverage, which shall be on a “claims made” basis; and (e) apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of liability set forth in the applicable policy or memorandum of coverage.

Each policy of insurance and/or memorandum of coverage required by the foregoing provisions of this Charter shall be endorsed to state that coverage shall not be suspended, rescinded, voided, cancelled, reduced in coverage or in limits, or non-renewed, or materially changed for any reason, without thirty (30) days’ prior written notice thereof given by the insurer to the District by U.S. Mail, certified, or by personal delivery. In addition to such notice provided to the District by the insurer, OFY-SB shall also provide the District with thirty (30) days’ prior written notice, by certified mail, return receipt requested, of the suspension, recession, voiding, cancellation, reduction in coverage or limits, non-renewal, or material change for any reason, of any policy of insurance or memorandum of coverage required by the foregoing provisions of this Charter. If at any time any policy of insurance or memorandum of coverage required by the foregoing provisions of this Charter is suspended, rescinded, voided, canceled, reduced in coverage or in limits, or non-renewed, or materially changed for any reason, OFY-SB shall cease operations until such policy of insurance and/or memorandum of coverage is restored, and if the required insurance and/or coverage is not restored within two (2) business days, the Charter may be subject to revocation pursuant Education Code Section 47607.

The acceptance by the District of the insurance and/or coverage required by the foregoing provisions of this Charter shall in no way limit the liability or responsibility of OFY-SB or of any insurer or joint powers authority to the District.
Each policy of insurance and/or memorandum of coverage required by the foregoing provisions of this Charter shall be endorsed to state that all rights of subrogation against the District and/or the District Personnel are waived.

O. Verification of Coverage

OFY-SB shall provide to the District duplicate originals of each policy of insurance and/or each memorandum of coverage required by the foregoing provisions of this Charter, including all declarations, forms, and endorsements, which shall be received and approved by the San Bernardino City Unified School District risk manager within thirty (30) days of the approval of this Charter and by July 1 and January 7 of each year thereafter, and at any other time that a policy of insurance and/or memorandum of coverage is changed and at any other time a request is made by the District for such documents. The duplicate originals and original endorsements required by this provision shall be signed by a person authorized by the insurer and/or joint powers authority to bind coverage on its behalf. The procuring of such insurance and/or coverage or the delivery of duplicate originals and endorsements evidencing the same shall in no way be construed as a limitation of the obligation(s) of OFY-SB to defend, indemnify, and hold harmless the District and the District Personnel.

P. Deductibles and Limits of Liability

The limits of liability applicable to the policies of insurance and/or memoranda of coverage required by the foregoing provisions of this Charter shall not reduce or limit the obligation(s) of OFY-SB to defend, indemnify, and hold harmless the District and the District Personnel.

The limits of liability applicable to the policies of liability insurance and/or memoranda of coverage in place of liability insurance required by the foregoing provisions of this Charter shall not be reduced by or apply to defense costs or attorney’s fees incurred to defend against covered claims. In the event that OFY-SB is unable to satisfy this requirement on all liability policies, OFY-SB shall contact the San Bernardino City Unified District risk manager to seek approval of any changes to this requirement that may be needed for OFY-SB to obtain and procure necessary insurance.

Any deductible(s) or self-insured retention(s) applicable to the insurance and/or coverages required by the foregoing provisions of this Charter must be declared to and approved by the District.

OFY-SB shall promptly respond to all inquiries from the District regarding any claims against OFY-SB and/or any obligation of OFY-SB under the foregoing provisions of this Charter.

Additionally, OFY-SB shall, at all times, maintain a funds balance (reserve) of its insurance expenditures, including funds to cover any losses that may fall within its deductible(s) or self-insured retention(s), as set forth in the MOU between the parties.

Q. Calendar

OFY-San Bernardino may use a year-round, multitrack, staggered start calendar or, as OFY-San Bernardino determines, any other calendar that would improve the delivery of instruction to students, provided that
such calendar complies with applicable law. In addition, nothing contained herein shall prohibit OFY-San Bernardino from having a different apportionment date than the San Bernardino City Unified School District. OFY-San Bernardino shall use the apportionment dates determined within the calendar used by OFY-San Bernardino to submit apportionment information to the San Bernardino City Unified School District.

To the extent that OFY-San Bernardino needs to obtain a waiver from the State Board of Education pursuant to Education Code 58509, in order to receive full funding based upon OFY-San Bernardino’s calendar, OFY-San Bernardino’s Board of Directors and its representatives are empowered to directly petition the State Board for such a waiver. In addition, in the event that OFY-San Bernardino must submit waiver requests through the San Bernardino City Unified School District, the District hereby agrees to evaluate the waiver requests in a timely manner and, if determined to be a reasonable request, to cooperate in the waiver process and to support and process such waiver requests submitted by OFY-San Bernardino in a timely manner.

OFY-San Bernardino will be closed for a variety of school, District, State, or Federally-designated holidays. These holidays include:

- Independence Day
- Labor Day
- Veteran’s Day
- Thanksgiving
- Winter Recess
- ML King Day
- President’s Day
- Spring Recess
- Memorial Day
- Summer Recess

OFY-San Bernardino has determined the specific days the holidays will be observed and has included these days in the Student Handbook. Student holidays can be found in Exhibit 23: Student Handbook.

R. Terms of Charter

The term of this Charter shall be for five years, from July 1, 2019, through and including June 30, 2024.

OFY-SB may submit a request for renewal of its Charter anytime on or after August 15th during its final year of operation or as otherwise agreed with the District. OFY-SB understands and agrees that only after all renewal documentation, specifically including formal documentation of compliance with the applicable academic performance requirements (from a source such as CDE, not solely created internally by OFY-SB) and the documents specified below, has been submitted to the District Office, receipt of the Charter renewal will be placed on the next regular or special District Board meeting agenda for which meeting the agenda deadline has not passed, and such receipt by the District Governing Board shall commence the timelines for action on the renewal request. OFY-SB further acknowledges that District Governing Board agenda deadlines are generally at least two weeks prior to the Board meeting, and understands that receipt of the renewal request will be placed on a Board agenda in accordance with the District’s normal agenda deadline requirements, and OFY-SB may obtain specific agenda deadline information from the Superintendent or designee prior to submittal.

Any renewal request shall include all of the following materials:

1. At least 5 hard copies (in notebooks or otherwise bound) of the entire renewal Charter, with the entire document (including any appendices, exhibits, or attachments) sequentially numbered from the first through the last page (including any appendices, exhibits, or attachments), and also including a table of contents which includes references to all appendices/exhibits/attachments;

2. A redline comparing the renewal Charter to the current Charter included in each notebook; and
3. An electronic (Word not PDF) version of both the clean and redline versions of the renewal Charter.

The renewal process shall be governed by the provisions of Education Code Section 47607 and the California Code of Regulations, Title 5, Section 11966.4, or the provisions of law that may supersede, modify, amend, or succeed those provisions. Each renewal of the Charter shall be for the time period specified by law applicable at the time of the renewal.

The District Governing Board delegates to the Superintendent or designee and the OFY-SB Board delegates to the CEO or designee authority to waive or extend the timelines in this Charter, law, or applicable regulation for consideration or action on material revisions and/or renewal of this Charter.

S. Material Revision

This Petition may only be amended through a material revision pursuant to Education Code section 47607.

T. Interpretation

This Petition shall be construed to give the fullest autonomy to OFY-San Bernardino to fulfill its primary goal of teaching high-risk students and academically low-achieving students.

U. Transportation

OFY-San Bernardino believes that its program should be available to all students, regardless of their current living arrangements. OFY-San Bernardino will provide bus passes to students who need transportation assistance. In addition, pursuant to IDEA, OFY-San Bernardino will find appropriate transportation accommodations for students with disabilities as detailed in the students’ IEPs. A copy of the Transportation Policy can be found in Exhibit 28.

V. Notices

1. Communication Between Parties

Any and all notices, demands, or other communications required or desired to be given hereunder by any party shall be in writing and shall be validly given or made to another party if served either personally or, if deposited in the United States mail, certified or registered, postage prepaid, return receipt requested. If such notice, demand, or other communication be served personally, service shall be conclusively deemed given or made at the time of such personal service. If such notice, demand, or other communication be given by mail, such shall be conclusively deemed given forty-eight hours after the deposit thereof in the United States mail, addressed to the party to whom such notice, demand, or other communication is to be given as hereinafter set:

To the Charter School:
OFY-San Bernardino, Inc.
320 N. Halstead Street Suite 280
Pasadena, CA 91107
Facsimile: (626) 921-8250
Attention: John Calhoun, President

With a copy to:
OFY-San Bernardino, Inc.
Attention: Legal Department
Any party hereto may change its address for the purpose of receiving notices, demands, and other communications as herein provided by a written notice given in the manner aforesaid to the other Party or Parties hereto.

W. Revocation

This charter may be revoked as provided by law. Before revoking the charter, San Bernardino City Unified School District shall comply with Education Code Section 47607 and any applicable implementing regulations.

Pursuant to Education Code Section 47607(c), the foregoing requirements do not apply when the District determines, in accordance with Title 5 of the California Code of Regulations Section 11968.5.3, that the violation constitutes a severe and imminent threat to the health or safety of pupils. In the event that San Bernardino City Unified School District shall undertake proceedings for revocation of the Charter, OFY-San Bernardino shall be entitled to all rights and remedies provided for under Education Code 47607 and Title 5, California Code of Regulations Sections 11965 and 11968.5.2-11968.5.5.

X. Alternative Education Programs

OFY-San Bernardino may also be available to manage and operate other alternative education programs offered by San Bernardino City Unified School District, upon such terms and conditions to be mutually agreed upon by the San Bernardino City Unified School District and OFY-San Bernardino.

Y. Exhibit Alterations

Exhibits attached hereto contain information current as of the time of submission of this Petition and are subject to change as necessary or appropriate after submission of this charter renewal petition to the extent that any such changes are consistent with the terms of this Charter and applicable laws

Z. Responding to Inquiries

OFY-San Bernardino will promptly respond to all reasonable inquiries, including inquiries regarding its financial, personnel, attendance accounting, and pupil records as well as any record maintained by OFY-CA relating to OFY-San Bernardino. OFY-SB shall promptly comply with all reasonable inquiries from the District in accordance with Education Code section 47604.3.