

**Application to Renew the Charter for
The Natomas Pacific Pathways Prep Middle School (NP³ MIDDLE SCHOOL)
as a California Public Charter School**

**Submitted to the
Natomas Unified
School District
On May 3, 2021**

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School Location

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

ASSURANCES

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

1. Shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code § 60605, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. *[Ref. Education Code § 47605(d)(1)].*
2. Shall be deemed the exclusive public school employer of the employees of the charter school for purposes of the Educational Employment Relations Act. *[Ref. Education Code § 47605(b)(6)].*
3. Shall be nonsectarian in its programs, admissions policies, employment practices, and all other operations. *[Ref. Education Code § 47605(e)(1)].*
4. Shall not charge tuition. *[Ref. Education Code § 47605(e)(1)].*
5. Shall admit all students who wish to attend the Charter School, unless the Charter School receives a greater number of applications than there are spaces for students, in which case it will hold a public random drawing to determine admission. Except as required by Education Code Section 47605(e)(2), admission to the Charter School shall not be determined according to the place of residence of the student or of that student’s parent or legal guardian within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(e)(2)(B)(i)-(iv). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code Section 47605(e)(2)(C). *[Ref. Education Code Section 47605(e)(2)(A)-(C)]*
6. Shall not discriminate on the basis of the characteristics listed in Education Code section 220, including 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 any individual who has any of the aforementioned characteristics. *[Ref. Education Code § 47605(e)(1), Education Code § 220]*
7. Shall adhere to all applicable provisions of federal law related to students with disabilities including, but not limited to, § 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and the Individuals with Disabilities in Education Improvement Act of 2004.

8. Shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to, necessary professional credentials. *[Ref. Title 5 California Code of Regulations § 11967.5.1(f)(5)].*
9. Shall ensure that teachers in the Charter School hold the Commission on Teacher Credentialing certificate, permit or other document required for the teacher's certificated assignment. *[Ref. Education Code § 47605(l)].*
10. Shall ensure that teachers in the school hold a Commission on Teacher Credentialing credential, permit, or other document required for the teacher's certified assignment. The Charter School may use local assignment options authorized in statute and regulations for the purpose of legally assigning certificated teachers, in the same manner as a governing board of a school district. Teachers employed by charter schools during the 2019–20 school year shall have until July 1, 2025, to obtain the certificate required for the teacher's certificated assignment. *[Ref. Education Code Sections 47605(l) and 47605.4(a)]*
11. Shall 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 § 47605(n)].*
12. 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.
13. If a pupil is expelled or leaves the school without graduating or completing the school year for any reason, the Charter School shall notify the superintendent of the school authorizer 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 a transcript of grades or report card 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. California Education Code Section 47605(e)(3)].*
14. The Charter School shall not discourage a pupil from enrolling or seeking to enroll in the charter school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code Section 47605(d)(2)(B)(iii).
15. The Charter School shall not request a pupil's records or require a parent, guardian or pupil to submit the pupil's records to the Charter School before enrollment. *[Ref. California Education Code Section 47605(d)(4)(A)&(B).]*
16. Shall not encourage a pupil currently attending the charter school to disenroll from the Charter School or transfer to another school for any reason, including, but not limited to,

academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code Section 47605(d)(2)(B)(iii). This requirement shall not apply to actions taken by the Charter School pursuant to the procedures described in Education Code Section 47605(d)(5)(J). The Charter School shall provide a parent or guardian, or a pupil if the pupil is 18 years of age or older, a copy of the notice developed by the CDE relating to the requirements of this paragraph at all of the following times: 1) when a parent, guardian or pupil inquires about enrollment; 2) before conducting an enrollment lottery; 3) before disenrollment of a pupil. The Charter School shall also post the notice on its internet website. [Ref. California Education Code Section 47605(d)(4)(D)].

17. Shall follow any and all other federal, state and local laws and regulations that apply to the school, including the Brown Act (Govt. Code sections 54950, *et seq.*), the Political Reform Act (Govt. Code sections 87100, *et seq.*), the Public Records Act (Govt. Code section 6250, *et seq.*), and Government Code sections 1090, *et seq.*, the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g).
18. Shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. California Education Code section 47612.5(a)(2)].
19. Shall on a regular basis consult with the school's parents, legal guardians and teachers regarding the school's education programs. [Ref. California Education Code section 47605(d)(2)].
20. Shall comply with any jurisdictional limitations to location of its facilities. [Ref. California Education Code section 47605(a)(5), 47605.1].
21. Shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. California Education Code sections 47610 and 47612(b)]
22. Shall comply with all applicable portions of the Elementary and Secondary Schools Act ("ESEA"), as reauthorized and amended by Every Student Succeeds Act ("ESSA").

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

I. INTRODUCTION AND FOUNDING GROUP

Introduction

The NP³ Middle School educates students in grades 6-8. The school offers an academic and co-curricular program that appeal to students in Natomas and the Sacramento area.

The NP³ Middle School is committed to academic excellence and a comprehensive program that will engage a diverse student population—at least as diverse as the Natomas and California populations generally. Key to the program is a small school environment where students are known and known individually by their teachers and staff, high expectations, a college-culture, rigorous and analytical coursework, and opportunities to build sustained and intense relationships with others

Students who satisfactorily complete eighth grade at NP³ Middle School will have rights to a seat at NP³ High School.

Founding Group — Description, Experience & Relationships

The founding group for NP³ Middle School is P20 Consortium, a non-profit corporation organized under the laws of the State of California.

P20 Consortium was organized to form a structure where professional schools, colleges, and universities can work collaboratively with P12 educators in ways that will result in an exemplary education for disadvantaged and underrepresented youth, an expanded pool of qualified applicants along the education pipeline, and increased diversity in colleges and in the professions. More specifically, P20 Consortium seeks to increase students' educational aspirations, their persistence in school, and their academic achievement. To these ends, P20 Consortium works with local schools and educators, state organizations, and a national consortium of similarly interested cross-education teams involving law schools, medical schools, schools of education, two year colleges, P12 institutions, and other education leaders and policy makers.

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

As part of the P20 Consortium, teachers, students, and staff in NP³ Middle School have the opportunity to work with high school and college students, teachers, counselors, and principals affiliated with P20 Consortium, as well as with such educational organizations and leaders as the Johnson Foundation, the Education Commission of the States, ETS, the College Board, the Law School Admission Council, the American Bar Association, the Santa Ana P18 Partnership, and others in the consortium's national network, which is known as the Wingspread Consortium named for the Johnson Foundation facilities in Racine, Wisconsin, where the group first met in 2003.

NP³ Middle School is operated by P20 Consortium through a Board ("NP³ Board") of at least five members that will include parents and representatives of the broader community.

NP³ Middle School employs an experienced principal, counselor and teachers, with specific experience with goals similar to those articulated for Natomas Pacific Pathways Prep High School. The governance structure for NP³ Middle School is described in detail in Section IV of this Renewal Petition.

Charter Renewal Criteria

Pursuant to the amendments made to Education Code Section 47607, and the creation of Education Code Section 47607.2, by Assembly Bill 1505 (2019), at the time of charter renewal, a chartering authority shall consider the performance of the charter school on the state and local indicators reported the California School Dashboard ("Dashboard"), and, in some circumstances, the performance of the charter school on assessments deemed to be verified data.

In addition to the shift toward assessing Dashboard data, Assembly Bill 1505 also created a three-tiered system of evaluating charter schools' performance, plus a separate category for Dashboard Alternative School Status schools. Each of the three tiers has unique qualifying criteria.

Although the Charter School very nearly qualifies as a high tier school, its renewal is subject to the middle tier criteria, as determined by the California Department of Education, and is eligible for charter renewal, as demonstrated below.

Education Code Section 47607.2(b) provides that:

(1) For all charter schools for which [top tier and bottom tier] do not apply, the chartering authority shall consider the schoolwide performance and performance of all subgroups of pupils served by the charter school on the state indicators included in the [Dashboard] and the performance of the charter school on the local indicators included in the [Dashboard].

(2) The chartering authority shall provide greater weight to performance on measurements of academic performance in determining whether to grant a charter renewal.

"Measurements of academic performance" are defined in statute as "statewide assessments in the

California Assessment of Student Performance and Progress system, or any successor system, the English Language Proficiency Assessments for California, or any successor system, and the college and career readiness indicator.” (Education Code Section 47607(c)(3).) (See Attachment A)

B. MEASURABLE INCREASES IN ACADEMIC PERFORMANCE

Charter Schools in the middle track must also meet the following requirement:

(3) In addition to the state and local indicators, the chartering authority shall consider clear and convincing evidence showing either of the following:

(A) The school achieved measurable increases in academic achievement, as defined by at least one year’s progress for each year in school.

(B) Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers.

(4) Subparagraphs (A) and (B) of paragraph (3) shall be demonstrated by verified data.

“Verified data” is defined in statute as “data derived from nationally recognized, valid, peer-reviewed, and reliable sources that are externally produced.” (Education Code Section 47607.2(c)(1).)

As required pursuant to Section 47607.1(c)(2), on November 6, 2020, the State Board of Education approved a list of assessments qualifying as “verified data” and included CAASPP data as a permissible source to demonstrate measurable increases in student achievement. (See Attachment A)

C. CONCLUSION

A charter petition renewed pursuant to Section 47607.2(b) (top tier) may be granted a renewal term of 7 years.

As demonstrated by the evidence above, the Charter School meets the renewal criteria for a top tier school and should be granted a renewal term of seven (7) years from July 1, 2021 to June 30, 2028.

II. EDUCATIONAL PHILOSOPHY AND PROGRAM

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

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

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 § 47605(b)(5)(A)(i)-(iii)

Mission and Educational Philosophy

The mission of NP³ Middle School is to work with the Natomas Unified School District in a collaborative effort to reach out to students in Natomas and Sacramento County and neighboring counties who are underrepresented in the professions and to then move these students successfully along the pipeline from middle school to high school to college and into professions and positions of leadership.

The goal of NP³ Middle School is to engage these students of diverse backgrounds in their education; to encourage their persistence and success in a rigorous academic curriculum and co-curricular program, to provide students with rigorous and interactive learning activities; and to foster a culture of learning that leads to a successful high school experience, matriculation to college, graduate or professional education, and adulthood as an engaged citizen and leader.

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

Graduates have the academic skills, the subject matter knowledge and understandings, and the personal skills to be successful in high school and beyond, as well as the motivation and

competencies to be lifelong learners. Central to the success of the school is the belief that all students who are given the opportunity to engage in a rigorous theme-based curriculum can achieve high academic standards, even though they may enter middle school with different strengths, weaknesses, and life experiences.

Students to Be Served

NP³ Middle School targets a diverse group of students in grades 6-8 who are representative of the demographics of the Natomas community and the State of California.

Curriculum and Instructional Design

The instructional approach of NP³ Middle School is site-based. It offers remedial approaches where necessary. Coursework is geared to California standards. Instructional design encompasses both curricular and co-curricular activities, and involves both traditional and creative teaching methods.

OVERVIEW OF THE EDUCATIONAL PROGRAM

NP³ Middle School provides students and parents living within Natomas and Sacramento County the opportunity to participate in an innovative, research-based middle school program focused on:

- Preparing students with the subject knowledge, skills and understanding to contribute to their communities.
- Developing the personal skills students need to be successful.
- Helping students develop learning structures they can apply in a variety of situations.
- Preparing students to become life-long learners.
- Ensuring that students have mastered grade level standards by the time they attend high school.

To achieve these goals, NP³ Middle School implements recommendations outlined in the National Middle Schools Association description of exemplary middle school programs. Exemplary middle level schools address the distinctiveness of early adolescence with various instructional and organizational features. Five key components are generally recognized by educators, associations, foundations, state boards of education, and researchers. Both empirical data and conventional wisdom support these components.

Interdisciplinary teaming

Because teachers share the same students and have a common planning period, they are able to respond more quickly to the needs of individual students through collaboration, meeting

jointly with parents, and designing thematic units which foster the transfer of ideas among disciplines and increase relevance.

Advisory programs

The purpose of this program is the development of close, trusting relationships between students and adults and to increase engagement with learning and feelings of positive self-esteem and belonging.

Varied instruction

Includes (1) integrating learning experiences, addressing students' own questions and focusing upon real life issues relevant to the student; (2) actively engaging students in problem-solving and accommodating individual differences; (3) emphasizing collaboration, cooperation, and community; (4) seeking to develop good people, caring for others, democratic values, and moral sensitivity (NMSA, 1995). Some of the more common programs include multi-age grouping over longer periods of time, cross-age tutoring, cooperative learning, hands-on and student-centered activities; use of block time and flexible scheduling; and positive evaluations. Learning tasks are developmentally appropriate and adapted to individual differences.

Exploratory programs

Capitalize on the innate curiosity of young adolescents, exposing them to a range of academic, vocational, and recreational subjects for career options, community service, enrichment, and enjoyment.

Transition programs

Transition program creates a smooth change of schools for the young adolescent. Eighty-eight percent of public school students begin the middle grades in a new school, a transition which may overwhelm the coping skills of some students. A common approach is for elementary school students to visit the middle level school they will be attending, while administrators of the elementary and middle level schools meet to discuss programs and the middle school counselors discuss ways to help students make a smooth transition from elementary to middle school and from middle school to high school.

Developmentally responsive middle level schools are characterized by:

- a shared vision among all stakeholders
- educators committed to young adolescents
- a positive school climate
- an adult advocate for every student
- family and community partnerships
- high expectations for all

They do this by providing:

- a curriculum that is challenging, integrative, and exploratory
- varied teaching/learning approaches

- assessment and evaluation that promote learning
- flexible organizational structures
- programs and policies that foster health, safety, and wellness
- comprehensive guidance and support services

Plans for Particular Groups of Students

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

Plan for Students Who Are Academically Low Achieving

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

- Differentiated instruction within classes to address the individual needs of low achieving students
- Focused instruction on basic skills, particularly literacy and numeracy
- Individualized learning plans developed with students' advisory teachers
- Intervention, tutoring and mentoring programs focused on academic skills
- Extended day activities for strengthening students' academic skills

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

Plan for Students Who Are Academically High Achieving

In collaboration with analogous efforts within Natomas Unified School District, teachers, counselor, and principal in NP³ Middle School provides the following for students who are achieving above grade level in their academic studies:

- Differentiated instruction within classes to address the individual needs of high achieving students

- A Mentoring program
- Enrichment activities targeted toward the student's interests

Plan for Students Who Are English Language Learners

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

A. Home Language Survey

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

B. ELPAC Testing

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

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

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

- All applicable legal requirements relative to Home Language Surveys, annual notification to parents, student identification, and appropriate student placement.
- Access to both the school's core curriculum and to special structured English immersion instruction.
- Annual assessments to ensure that students are receiving proper instruction.
- Qualified teachers who are prepared to work with English language learners.

- Opportunities through standardized testing and other assessments for students to be reclassified to Fluent English Proficiency (FEP).
- Ongoing monitoring and evaluation of the programs and activities targeted to English language learners.

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

Plan for Special Education Students and Section 504

NP³ Middle School pledges to collaborate with Natomas Unified School District to ensure that all students are served in accordance with applicable federal and state laws, including all laws affecting individuals with exceptional needs: all provisions of the *Individuals with Disabilities Education Improvement Act (IDEIA)*, § 504 of the *Rehabilitation Act of 1973 (§504)*, and the *Americans with Disabilities Act (ADA)*. All students will have equal access to the school, regardless of disabilities, and the school will not discriminate against any student based on his or her disabilities. The school will not require modification of an IEP or 504 plans as a condition of enrollment, but may modify the plan consistent with applicable law thereafter.

Pursuant to Education Code § 47641(b), NP³ Middle School will be deemed to be a public school of the District for purposes of compliance with the IDEIA. A child with disabilities attending the school will receive special education instruction and related services in accordance with the IDEIA or as appropriate and in the same manner as a child with disabilities who attends another school in the District as set forth below.

- A. The Charter School assumes primary responsibility, and will fully cooperate with the District, in identifying any student with special needs, including all students who seek enrollment at the Charter School or who are enrolled in the Charter School, and in convening annual IEP's. The District shall be responsible for all other IDEIA obligations and responsibilities not assigned to the Charter School in this Charter or in a Memorandum of Understanding ("MOU") with the District for students enrolled in the Charter School.
- B. The Charter School's staff trained in special education shall be responsible for identifying and referring Charter School students to the District who have or may have exceptional needs that qualify them to receive special education and/or related services from the District while enrolled at the Charter School. The Charter School will develop, maintain, and implement policies and procedures within the Charter School to ensure that students who have or may have exceptional needs are identified. The Charter School shall work cooperatively with the District to provide services to pupils with exceptional needs at the Charter School. The Charter School shall notify the

District's Executive Director of Special Education or designee as soon as practicable of any and all pupils who seek to enroll or who are dropped from enrollment, and who had an IEP in the current or previous year, or who have a record of having ever received special education services. To this end, the Charter School shall require students enrolling in the Charter School to indicate whether they have, or have ever had, an IEP.

- C. The District shall be responsible for evaluating and assessing Charter School students identified by the Charter School who have or may have exceptional needs that qualify them to receive special education and/or related services. The Charter School will develop, maintain, and implement policies and procedures within the Charter School to ensure that students who have or may have exceptional needs are referred to the District for evaluation and assessment. If during the pre-placement evaluation and assessment, or any subsequent IEP, it is determined by the IEP team that the Charter School is not an appropriate placement for a student with exceptional needs, the student will be referred to the District, or the pupil's district of residence, for placement in an appropriate program that meets the needs of the student.
- D. The District shall be responsible for developing, maintaining, and reviewing the form and format, as required by the District's Special Education Local Plan Area, of all written IEP's for students who have or may have exceptional needs that qualify them to receive special education and/or related services. The Charter School will develop, maintain, and implement policies and procedures within the Charter School to collaborate with the District in ensuring that IEP's are implemented for all students with exceptional needs who are enrolled in the Charter School.
- E. The District shall retain all special education funds of the Charter School for services to special education pupils (i.e., "special education funding allocation"). In addition, the Charter School shall pay to the District a special education general fund encroachment fee as stated in the parties' MOU.
- F. The District shall address, respond, and/or investigate complaints received under the District's Uniform Complaint procedure involving Charter School students receiving special education and related services from the District. The Charter School shall cooperate with the District in responding to such complaints as deemed required by the District.
- G. The District may initiate and shall defend against due process hearings involving any Charter School student receiving special education and related services from the District in accordance with federal and State law. In the event any due process hearing is filed against the District, the District, as the LEA providing special education to Charter School students, shall be

responsible for the District's costs associated with filing for or defending against the due process hearing, except as set forth in the MOU between the District and Charter School. In the event the Charter School elects to be represented separately by legal counsel for any due process hearing, the Charter School shall be solely responsible for the Charter School's costs.

- H. The Charter School shall be solely responsible for complying with all requirements of Section 504 of the Rehabilitation Act, including but not limited to, holding Student Study Team meetings, developing and implementing Section 504 Accommodation Plans, and responding to complaints filed with the Office of Civil Rights. Finally, for purposes of § 504/ADA, Natomas Unified School District will ensure that all facilities used by NP³ Middle School are accessible to students with disabilities as required by law.

III. MEASURABLE STUDENT OUTCOMES AND OTHER USES OF DATA

The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both school wide and for all pupil subgroups served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607. The pupil outcomes shall align with the state priorities, as described in paragraphs (2) to (8), inclusive, of subdivision (d) of Section 52060, that apply for the grade levels served by the charter school.

Education Code § 47605(b)(5)(B)

Measurable Student Outcomes

When students graduate from NP³ Middle School, they will possess the following knowledge and demonstrate the following skills:

Core Skills

The following core skills will be embedded into the curriculum and organizational framework.

Critical Thinking

- Thinks through tasks and issues logically
- Can breakdown and resolve complex issues
- Is strategic in identifying key levers for meeting goals
- Thinks of new ideas and approaches to address difficult issues

Communications Skills

- Produces strong written documents
- Edits documents effectively
- Engages in effective verbal communication one on one and in small groups
- Conducts effective large group presentations

Organization

- Prioritizes tasks effectively
- Accomplishes tasks efficiently
- Follows through on commitments
- Breaks down large projects to make them manageable
- Effectively manages complex projects involving multiple participants

Working well with others

- Works well with a diverse range of people and makes them feel valued
- Interacts with others in a direct, respectful and thoughtful manner
- Strives to understand different perspectives and shapes their approach accordingly
- Works well with other teams

Influencing and motivating others

- Influences others toward a positive result

External relationship building

- Builds strong external relationships
- Utilizes external relationships effectively to meet goals

Content Knowledge

- Students will demonstrate the ability to understand and express ideas, and they will demonstrate proficiency in reading, writing, speaking, listening, and presenting.
- Students will be able to demonstrate clear understanding of scientific concepts and knowledge.
- Students will understand and be able to apply social, historical, and geographical knowledge, so that they can play an active role in the world throughout their lives.
- Students will demonstrate the ability to reason logically, understand and apply mathematical processes and concepts, and apply major strands of mathematical learning.
- Students will understand that a healthy lifestyle, physical fitness, and nutrition contribute to personal well-being.

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

Annual Goals and Pupil Outcomes for All Groups Served

Pursuant to Education Code section 47606.5(c)(5)(A)(ii), and no later than July 1, 2019 prior to commencing instruction in the 2019-20 school year, the Charter School shall provide to the District an update to the Charter School's annual goals for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the Charter School, and specific annual actions to achieve those goals. The Charter School may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals. Below are the Charter School's annual goals for all pupils and for each subgroup as required by Education Code section 47605(b)(5)(A)(ii):

The following goals shall apply for the 2021 - 2022 school year.

CHARTER SCHOOL ANNUAL GOALS AND ACTIONS TO ACHIEVE STATE PRIORITIES	
State Priority #1 Basic Services. The degree to which teachers are appropriately assigned (E.C. §44258.9) and fully credentialed, and every pupil has sufficient access to standards-aligned instructional materials (E.C. § 60119), and school facilities are maintained in good repair (E.C. §17002(d))	
ANNUAL GOALS TO ACHIEVE PRIORITY #1	ACTIONS TO ACHIEVE ANNUAL GOALS
<ul style="list-style-type: none"> - The Charter School will ensure all core teachers possess appropriate credentials as defined by law - The Charter School will select instructional materials from the State Board approved instructional materials list and ensure adequate copies are available for each student enrolled in the class. - The Charter School will ensure facilities provide an environment that facilitates learning. 	<ul style="list-style-type: none"> - Pre-employment qualification reviews - Recruitment Strategies - Develop and approve master schedule - Implement Instructional materials adoption cycle and finalize the Charter School's Curriculum Matrix - Allocate sufficient resources to instructional materials budget - The Charter School will adhere to all codes, regulations and District policies. - The Charter School will adopt and implement a School Safety and Emergency Preparedness Plan.
State Priority #2 Implementation of Common Core State Standards. Implementation of Common Core State Standards (CCSS) for all students including EL students to gain academic content knowledge and English language proficiency	
ANNUAL GOALS TO ACHIEVE PRIORITY #2	ACTIONS TO ACHIEVE ANNUAL GOALS

<ul style="list-style-type: none"> - English language arts and Mathematics courses will be aligned to CCSS - History/Social Science, Science and Technical courses will be aligned to CCSS ELA and Literacy in History/Social Science, Science and Technical subjects. 	<ul style="list-style-type: none"> - All students, including EL students, will be enrolled in a broad course of study that is aligned to CCSS. - Teachers may be trained and given time to ensure curriculum and lesson plans are aligned to CCSS. - Teachers may submit UbD unit plans, aligned to CCSS. - Teacher evaluations may include assess for alignment of course curriculum to the CCSS.
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State Priority #3 Parental Involvement. Efforts to seek parent input and how the school will promote parent participation.

ANNUAL GOALS TO ACHIEVE PRIORITY #3	ACTIONS TO ACHIEVE ANNUAL GOALS
<ul style="list-style-type: none"> - The Charter School's parents will complete annual Parent Survey. - A Parent Council may be established and meet regularly. - The Charter School may conduct a Town Hall Forum each semester. - Parents will be notified of opportunities to get involved in the Charter School and their student's education. 	<ul style="list-style-type: none"> - Create and disseminate annual Parent Survey. - Send reminders to parents to complete the survey via multiple modes of home-to-school communication. - The Charter School will implement effective modes of home-to-school communication to inform parents of Town Hall and opportunities for involvement (i.e.: webpage, parent portal message board, automated phone calls, flyers home, email list serves, newsletter, Orientation, etc.) - Opportunities for Parent/Family volunteer service will be included in enrollment documents, student/parent handbooks, and Orientation information.

State Priority #4 Student Achievement. The Charter School will measure student achievement by all of the following, as applicable:

- A. Statewide assessments (SBAC, or any subsequent assessment as certified by SBE)
- B. The California School Dashboard
- C. Percentage of ELs who make progress toward English language proficiency as measured by the ELPAC
- D. EL reclassification rate

ANNUAL GOALS TO ACHIEVE PRIORITY #4	ACTIONS TO ACHIEVE ANNUAL GOALS
<ul style="list-style-type: none"> - The Charter School will administer all required statewide assessments (i.e.: SBAC, CELDT, etc.) - Charter School students, and subgroups of students, will meet or 	<ul style="list-style-type: none"> - Create and implement a school wide assessment calendar to ensure all assessment timelines (i.e.: ordering, pre-id files, communication to parents, etc.) are met.

<p>exceed average performance levels of students, and subgroups of students, statewide on statewide assessment.</p> <ul style="list-style-type: none"> - Charter School ELs will make progress toward English language proficiency at a rate that meets or exceeds average English language proficiency progress of students statewide. - The Charter School will achieve an EL reclassification rate that appropriately meets or exceeds average statewide reclassification rates. 	<ul style="list-style-type: none"> - Train staff and teachers on administration and proctoring of statewide assessments. - Data-driven Professional development for staff to reflect and refine on instructional strategies to improve student achievement. - Data-driven intervention for students who are performing below grade level. - Professional development for staff on GLAD, SEI, SDAIE strategies. - Ensure teachers serving EL students meet or exceed credentialing requirements.
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State Priority #5 Student Engagement. To be measured by all of the following, as applicable:

- A. School attendance rates
- B. Chronic absenteeism rates
- C. School dropout rates (EC §52052.1(a)(3))

ANNUAL GOALS TO ACHIEVE PRIORITY #5	ACTIONS TO ACHIEVE ANNUAL GOALS
<ul style="list-style-type: none"> - Charter School students will meet or exceed the District's attendance rate expectation. - The Charter School will have a dropout rate equal or better than the District. 	<ul style="list-style-type: none"> - Attendance expectations will be articulated in the Student Handbook and at Orientations, prior to students enrolling at the Charter School. - Attendance protocols will be clearly articulated and communicated to parents in multiple ways. - Students who are struggling with attendance will develop an Intervention Action plan with the Principal or designee to resolve the attendance issue.

	<ul style="list-style-type: none"> - Implement an RtI model that promotes early identification and early intervention for middle school students (or any student) who are struggling, academically, behaviorally, or with attendance. - The Principal or designee will develop an Intervention Action Plan with the struggling student to address attendance issues. - Promote student involvement in their school community through school events, clubs, enrichment activities, etc. so students feel a sense of connectedness and community.
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<p>State Priority #6 School Climate. To be measured by all of the following, as applicable:</p> <ul style="list-style-type: none"> A. Pupil suspension rates B. Pupil expulsion rates C. Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness 	
ANNUAL GOALS TO ACHIEVE PRIORITY #6	ACTIONS TO ACHIEVE ANNUAL GOALS
<ul style="list-style-type: none"> - The Charter School will maintain pupil suspension rates equal or lower than the District. - The Charter School will maintain pupil expulsion rates equal or lower than the District. - The Charter School will administer an annual Parent Survey. - The Charter School will administer an annual Staff survey. 	<ul style="list-style-type: none"> - Articulate and communicate behavioral expectations to parents and students in Student Handbook and Orientation materials, prior to enrollment. - Implement an RtI model that promotes early identification and early intervention for struggling students. - Implement Intervention Action plans and develop strategies to rectify behavior. - Develop and Administer annual Parent Survey. Share key findings with stakeholders. Use findings to refine program and goals for the

	<p>following school year, as appropriate.</p> <ul style="list-style-type: none"> - Develop and Administer annual Staff Survey. Share key findings with stakeholders. Use findings to refine program and goals for the following school year, as appropriate.
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State Priority #7 Course Access. The extent to which pupils have access to, and are enrolled in, a broad course of study, including programs and services developed and provided to unduplicated students (classified as EL, FRPM-eligible, or foster youth; (EC §42238.02) and students with exceptional needs.

“Broad course of study” includes the following, as applicable:
 Grade 7 to 12: English, social sciences, foreign language(s), physical education, science, mathematics, visual and performing arts, applied arts, and career technical education. (EC §51220(a)-(k))

ANNUAL GOALS TO ACHIEVE PRIORITY #7	ACTIONS TO ACHIEVE ANNUAL GOALS
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<ul style="list-style-type: none"> - Develop and adopt Middle School Course catalog containing course descriptions for a broad course of study. - Create and staff a master schedule that allows all students appropriate access to a broad course of study. - Develop supplemental instructional supports for EL and SpEd students, as appropriate. 	<ul style="list-style-type: none"> - Draft course catalog each spring and submit to Charter School Executive Committee for approval. - Master schedule planning to begin early each spring, to ensure adequate time and resources to accommodate for facilities, staffing and curriculum needs. - Offer intervention and supplemental supports to EL students and SpEd students (i.e.: speech therapist, resource specialist, assisted technology, etc.).
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State Priority #8 Other Student Outcomes. Other indicators of student performance in required areas of study will be measured and may include performance on other exams.

ANNUAL GOALS TO ACHIEVE PRIORITY #8	ACTIONS TO ACHIEVE ANNUAL GOALS
<ul style="list-style-type: none">- All students, including all student subgroups, unduplicated students, and students with exceptional needs, will demonstrate grade level proficiency in core academic subjects	<ul style="list-style-type: none">- The Charter School will continue to provide current curriculum design and comprehensive professional development.

State Content Standards and Standardized Testing

The academic curriculum in NP³ Middle School will consist of the basic concepts, content goals, and skills instruction reflected in the California State Content Standards in English/language arts, science, mathematics, and history/social science. Academic skills and concepts proposed by the California State Frameworks will be linked directly and specifically to concepts and themes taught in the classroom. The school is also dedicated to documenting each year student achievement of these state content standards and measurable academic growth as evidenced by scores on state-mandated tests.

Attendance

A major goal of NP³ Middle School is to achieve an equivalent or better attendance rate than that achieved in comparable schools in the state and in the Natomas Unified School District.

Academic Performance and Academic Yearly Progress Indices

It is the dual goal of NP³ Middle School to meet its academic performance growth targets determined in collaboration with the district and to make adequate Annual Yearly Progress (AYP) as may be required under the *ESSA*.

IV.METHODS OF ASSESSMENT

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 § 47605(b)(5)(C)

The academic progress of students enrolled in NP³ Middle School will be measured in a variety of ways, including the following:

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

Use and Reporting of Data

NP³ Middle School will measure its student outcomes in a variety of ways and the NP3 Board will compile and provide an “annual performance report” to the Natomas Unified School District Board of Education as well as its annual School Accountability Report Card (“SARC”). The two boards will jointly determine the content, evaluation criteria, timelines, and process for preparing and presenting this annual performance report, but, at a minimum, the annual performance report will include the following:

- Summary data that document student progress toward academic goals and outcomes of NP³ Middle School.
- An analysis of the extent to which student performance is meeting these goals. This analysis of student performance data will be displayed both school-wide and by disaggregated categories to the extent feasible without compromising student confidentiality.
- A summary of major curricular and instructional decisions and policies established by the NP³ Middle School, School Board.
- Data regarding the number and qualifications of the teachers, counselor, and principal in NP³ Middle School.
- A copy of the school's health and safety policies and a summary of any major changes in these policies during the year.

- A review of strategies and materials that NP³ Middle School has used during the year to achieve an economically, racially and ethnically balanced student population.
- An overview of the school's admissions practices during the year and data regarding the number of students enrolled, the number of students on waiting lists, and the number of students suspended or expelled.
- Analysis of the effectiveness of the school's internal and external dispute mechanisms and data on the number and resolution of any disputes and complaints that arose during the year.
- And any other relevant information regarding the school's educational program and its administrative, legal, and governance operations that are directly relevant to the terms of the school's charter.

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

Finally, pursuant to the state's Education Code, NP³ Middle School will routinely submit all financial reports required under § 47604.33 and § 47605(m), and it will respond promptly to all reasonable inquiries from the district, including, but not limited to, inquiries regarding its financial records.

V. GOVERNANCE STRUCTURE OF NP3 MIDDLE SCHOOL

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 § 47605(c)(5)(D)

The School's Organizational and Administrative Structure

The Charter School is a locally funded independent charter school operated by P20 Consortium ("Corporation"), a California nonprofit public benefit corporation. Accordingly, the District shall not be liable for the debts and obligations of the Charter School pursuant to Education Code section 47604(d). The organizational and administrative structure of NP³ Middle School includes a school board, a school principal, a counselor, a staff of credentialed teachers, one or more other staff members, and approximately 500 students divided across grades 6-8.

The P20 Board

NP³ Middle School will be governed by the P20 Board. In order to ensure continuity, members of the P20 Board are expected to commit to serving for three years (i.e., three one-year terms subject to the P20 Bylaws), and the P20 Board will include at least one parent of a student of NP³ High School, NP³ Middle School or NP³ Elementary School, as well as educational and community leaders in Natomas and Sacramento. All board members will be expected to advance the school's commitment to diversity, high academic expectations, and significant, sustained educational relationships, and their major responsibility will be to ensure that the mission and goals of NP³ Middle School are reflected in its organizational and administrative structure, its student body, and its educational outcomes.

Notwithstanding any rule, regulation, provision, or Corporation Bylaw to the contrary, the Charter School's Board Members and the Charter School shall at all times and in all respects comply with the Ralph M. Brown Act, the California Public Records Act ("CPRA"), the Family Educational Rights and Privacy Act of 1974 ("FERPA"), and all conflict of interests laws, generally applicable to the District's Board of Trustees, including but not limited to, Education Code § 47604.1, Government Code section 1090 and the Political Reform Act.

The P20 Board will consist of at least five members (i.e., contain two members more than the minimum required by the P20 Bylaws), including two community representatives, an NP3 parent or guardian and a student representative. When selecting community representatives, the P20 Board will look for expertise in school administration and operation, teaching, business, accounting, law, and fund-raising.

The P20 Board meets on a regular basis on a schedule that it will determine each year, but it will typically meet at least every 2 months to set policies and monitor procedures that are essential to the school's smooth operation. The specific responsibilities of the board will include, but are not limited to, the following:

- Hire and evaluate Administrative Team
- Hire and evaluate the principal of the NP³ Middle School.
- Approve the annual NP³ Middle School calendar and the annual schedule of board meetings.
- Hire the NP³ Middle School's instructional and other staff upon the recommendation of the principal.
- Adopt and monitor implementation of human resource policies related to compensation, career development, and staff personnel discipline, including suspension or dismissal.
- Approve and periodically review the NP³ Middle School's curriculum.
- Approve and periodically review the NP³ Middle School's student personnel policies and procedures, including those related to attendance, discipline, suspension, and expulsion.
- Appoint as necessary administrative panels that can act as hearing panels for student expulsions.
- Establish steering committees of parents, educators, and experts who will enhance and support the school's curricular themes.
- Review and approve requests for out-of-state or overnight student field trips.
- Involve parents and community representatives in activities related to the NP³ Middle School's curricular and co-curricular programs.
- Execute all responsibilities required by the California Corporation Code.
- Develop an operational business plan and approve and monitor the NP³ Middle School's annual budget.
- Act as fiscal agent for the NP³ Middle School for purposes of receiving funds to operate the school, including funds related to charter school laws and grants and donations consistent with the mission of the NP³ Middle School.
- Contract with an external auditor to produce annual financial audits consistent with generally accepted accounting practices and, upon their receipt, approve these annual fiscal audits.

- Participate in the NP³ Middle School's procedures for dispute resolution, both within the school and between the school and the district.
- Approve any amendments to the NP³ Middle School's charter.

In addition to these specific responsibilities, the P20 Board may initiate any program or activity and otherwise act in any manner that is not in conflict with, inconsistent with or preempted by any law and that is not in conflict with the purposes for which NP³ Middle School was established.

In carrying out its responsibilities, the P20 Board has established specific procedures for going about its business, including:

- Adopting governance policies that are aligned with principles of the *Brown Act*, *Political Reform Act* and *Education Code § 47604.1*.
- Adopting policies regarding self-dealing and conflict of interest, including a policy that Board members will not vote or participate in discussions related to matters in which they have direct personal financial interests.

The P20 Board may execute any powers delegated by law to it and discharge any duty imposed by law upon it, and it may delegate as appropriate certain of these duties to the Principal of the NP³ Middle School to allow for the Principal's supervision of the day-to-day operations of the NP³ Middle School.

While the board retains ultimate responsibility for performance of powers or duties so delegated, this delegation of responsibilities must be in writing; specify the entity designated; describe in specific terms the authority of the board being delegated, any conditions on the delegated authority or its exercise, and the beginning and ending dates of the delegation; and receive an affirmative vote of a majority of board members.

The Principal of the NP³ Middle School

The day-to-day functioning of NP³ Middle School is under the direct supervision and control of the school's Principal, who has responsibility for all aspects of the school's functioning, including its curricular and co-curricular programs, its staff, its students, its staff and student personnel policies and procedures, its financial well-being, and its public relations with parents and the community. The principal will be directly supported by a counselor, who will have responsibility for counseling all students, ensuring that the special needs of students are adequately addressed, and providing college advisement. The teaching staff of the school, hired by the school board upon the recommendation of the principal and subsequently supervised by the principal, will be charged with creative implementation on a day-to-day basis of the school's curricular and co-curricular programs. The specific responsibilities of the principal include, but are not limited to, the following:

- Attend both NP³ Board meetings and Natomas Unified School District Board and administrative meetings.
- Meet regularly with the chief financial officer of the district on a schedule agreed upon with the district.
- Develop agendas for board meetings in conjunction with the board secretary and in compliance with the *Brown Act*.
- Propose policies for adoption by the NP³ Board, and provide comments and recommendations regarding policies presented by others to the board.
- Communicate with the school's legal counsel and stay abreast of relevant school laws and regulations.
- Recommend all staff hiring to the NP³ Board, and subsequently supervise, either directly or through subordinates, all employees of the school.
- Provide annual performance evaluations of all school employees.
- Provide assistance and coordination for the school's teachers as they develop the school's curriculum and programs.
- Develop the course schedule for each term with the assistance of the school's teachers and counselors.
- Assume major responsibility and implementing strategies to recruit culturally diverse students for enrollment in NP³ Middle School, including conducting public meetings, maintaining liaison with feeder schools, meeting with parents and potential students, and coordinating orientation meetings for recently-enrolled students.
- Monitor student attendance and supervise student discipline.
- Establish and execute enrollment procedures, and provide all necessary financial reports required for proper ADA reporting.
- Plan and coordinate administration of state standardized tests.
- Oversee the school's budget, including its development and administration in accordance with generally accepted accounting principles, and notify the board of any budget line item revisions made during the year.

- Write grants and other proposals to obtain external funding for school programs and activities.
- Approve all purchase orders, pay warrants, and requisitions, and, upon approval, forward these for processing in a manner consistent with the policies applicable to Natomas Unified School District and the principals of its public schools.
- Present quarterly financial reports to the NP³ Board.
- Oversee parent/student/teacher relations, including attendance at IEP meetings.
- Oversee school site safety.
- Participate when necessary in the school's procedures for dispute resolution.
- Develop the school's annual performance report and present this report to The Natomas Pacific Pathways Prep Middle School ScVlhool Board, the Natomas Unified School District Board of Education, and others as appropriate.

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

VI. OVERALL QUALIFICATIONS OF NP³ MIDDLE SCHOOL EMPLOYEES

The qualifications to be met by individuals to be employed by the school.

Education Code § 47605(c)(5)(E)

All staff members in NP³ Middle School are expected to be individuals who seek to provide a quality education for a culturally diverse population of high school students. Staff members are expected to share the desire to participate in a thematically-based law and public service curriculum that is focused on high expectations, rigorous academic work, and a sustained commitment to significant relationships with students and families.

The School's Principal

As indicated above, the principal of NP³ Middle School is responsible for implementing the school's administrative and legal responsibilities, as well as serving as the school's instructional leader. This Principal is expected to be an experienced teacher and school administrator, an exemplary communicator both in person and in writing, and an individual who possesses the organizational and interpersonal skills needed to administer a small, academically rigorous, college-oriented middle school for culturally diverse students.

The School's Teachers and Counselor

When employing teachers and counselors, NP³ Middle School will adhere to Education Code § 47605(l), all requirements of the California Commission on Teacher Credentialing, and all applicable provisions of the ESSA. The Charter School's teachers shall hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in the District would be required to hold. These documents shall be maintained on file at the charter school and shall be subject to periodic inspection by the District. Accordingly, all Charter School teachers will meet the following minimum requirements:

- Bachelor's Degree
- Valid California Teaching Credential or equivalent CCTC-issued document
- If appropriate, or determined by the Charter School or the State of California as required, the individual will hold all appropriate supplemental credentials
- Demonstrate sufficient subject matter competency in accordance with Title 5, California Code Regulations Sections 6111 and 6112 and other applicable law.

Core teachers shall hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in the District would be required to hold. Core classes are those in the areas of English, Social Studies, Math and Sciences. In addition, the school may also employ non-certified instructional staff for work in non-core classes and activities when those prospective staff members have an appropriate mix of subject matter expertise, professional experience, and demonstrated capacity to work successfully in those

instructional settings. Non-certified instructional staff shall work under the direct supervision of credentialed core or non-core subject teachers.

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

The School's Non-Instructional Staff

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

Compensation and Benefits

All applicants for positions at NP³ Middle School will be informed about retirement system options, and, as appropriate to their positions, all employees will participate in STRS, PERS, and/or the federal Social Security system. Certificated employees at NP³ Middle School shall be eligible to participate in STRS and classified employees at NP³ Middle School shall be eligible to participate in PERS.

Employee Representation

For purposes of the *Educational Employment Relations Act*, NP³ Middle School will be deemed the exclusive public employer of all employees in the Charter School.

HEALTH AND SAFETY

The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following: (i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237. (ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (J), inclusive, of paragraph (2) of subdivision (a) of Section 32282. (iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.

Education Code § 47605(c)(5)(F)

The NP³ Board has adopted policies and procedures for complying with each of the following health and safety requirements:

Background Checks

NP³ Middle School shall comply with all provisions of Education Code § 44237 and § 45125.1 related to fingerprinting and background clearance of employees, contractors, and volunteers prior to employment or prior to having any more than limited contact with students in the school. The principal of the school will monitor compliance with this policy and report to the NP³ Board on a quarterly basis regarding implementation of this policy.

Child Abuse

All classified and credentialed staff members in NP³ Middle School will be mandated child abuse reporters, shall receive yearly training and are expected to follow all relevant policies, procedures, and applicable reporting laws used in Natomas Unified School District.

Education Code § 44691

TB Testing

NP³ Middle School shall adhere to Education Code § 49406 with regard to required tuberculosis testing of all employees prior to commencing employment.

Immunizations

NP³ Middle School shall adhere to Health and Safety Code §§ 120325-120375 and Title 17 of the California Code of Regulations §§ 6000-6075 with regard to legally required immunizations for entering students.

Medications

NP³ Middle School shall adhere to Education Code § 49423 with regard to administration of medications in school. NP³ Middle School shall adhere to Education Code section 49414 regarding epinephrine auto-injectors and training for staff members.

Feminine Hygiene Products

NP³ Middle School shall stock at least 50 percent of the school's restrooms with feminine hygiene products (i.e., tampons and sanitary napkins for use in connection with the menstrual cycle) at all times and without charge in accordance with Education Code section 35292.6

Lead Testing of School Water System

NP³ Middle School shall cooperate with the community water system and the District to allow lead testing in the water fountains and faucets used for drinking or preparing food at the facility prior to operation. If lead levels are found to exceed safe thresholds, NP³ Middle School will shut down the fountains or faucets with elevated levels and will notify the parents/guardians of the NP³ Middle School students in accordance with Health & Safety Code section 116277.

Food Service and Food and Beverage Advertising

NP³ Middle School shall not advertise any food or beverage during the school day or participate in a corporate incentive program that rewards pupils with free or discounted foods or beverages that do not comply with nutritional standards, except as permitted under Education Code section 49431.9. In compliance with Education Code section 47613.5, NP³ Middle School will provide each needy pupil with at least one nutritionally adequate free or reduced-price meal during each school day as required by law. NP³ Middle School shall comply with Education Code section 49557.5 to ensure that students who have unpaid school meal fees are not treated differently, and that student discipline does not include denial or delay of meals.

Vision/Hearing/Scoliosis

NP³ Middle School shall adhere to Education Code § 49450, et seq., with regard to each of the grade levels served by the school.

Emergency Preparedness

Pursuant to AB 1747 (2018 and codified at Education Code §§ 32280, et seq., and § 47605), NP³ Middle School shall develop a school safety plan, which shall include the safety topics listed in subparagraphs (A) through (J) of Education Code section 32282(a)(2), and procedures for conducting tactical responses to criminal incidents. The plan will be reviewed and updated by March 1 of every year by NP³ Middle School. This Safety Plan includes, but is not limited to, the

following disaster response (e.g., fire drills, floor, earthquake), emergency lockdown procedures (e.g., terrorist threats, bomb threats, hostage situations, CPR, Crisis Intervention Prevention), loitering law, going to and from school safely, and evacuation maps. NP³ Middle School shall coordinate with Natomas Unified School District to ensure that parents/guardians will be notified and common procedures followed.

NP³ Middle School shall comply with Education Code section 47610(d) by either utilizing facilities that are compliant with the Field Act or facilities that are compliant with the State Building Code. The schools' facilities and any modifications made to its facilities will comply with state building codes, federal Americans with Disabilities Act (ADA) access requirements, and other applicable fire, health and structural safety requirements, and will maintain on file readily accessible records documenting such compliance.

NP³ Middle School 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. NP³ Middle School shall conduct fire drills as required under the law.

Education Code §§ 35294.1-35294.8 – School Safety Plan

By March 1st of each year NP³ Middle School shall present to its Board for approval a comprehensive school safety plan including all of the requirements of SB 187 and SB 334 (attached)

Blood-Borne Pathogens

NP³ Middle School shall adhere to state and federal standards relevant to blood-borne pathogens and other potentially infectious materials in the workplace. The NP³ Middle School Board shall establish a written "Exposure Control Plan" for protecting employees from possible infections due to contact with blood- borne viruses, including human immunodeficiency virus (HIV) and hepatitis B virus (HBV). If exposed to blood or other bodily fluids through injury or accident, students and staff in the school will follow the latest medical protocols and procedures for disinfection.

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

The Natomas Pacific Pathways Prep Middle School shall maintain a drug-, smoke-, and alcohol-free environment.

Food Safety/Environmental Protection

NP³ Middle School shall comply with all state and federal laws regarding food safety and environmental protection and provide a comprehensive description of how the Natomas Pacific Pathways Prep Middle School will comply with these laws in the MOU.

Internet Safety Policy

NP³ Middle School will adopt policies and procedures on Internet safety as required by law, which shall include, but are not limited to, policies for the prevention of cyberbullying. At the beginning of each year, all students and parents will sign a copy of the school's Acceptable Use Policy. Teachers and staff shall also sign a copy of the school's Employee Acceptable Use Policy. Teachers will teach students the technology standards and ethics for students served by the school.

Integrated Complaint and Investigation Procedure

NP³ Middle School will develop a comprehensive complaint and investigation procedure compliant with the Uniform Complaint Procedures (5 CCR 4600-4687) to centralize complaints and concerns regarding the school. Under the direction of the NP³ Board, the Principal shall be responsible for investigation, remediation and follow-up on matters submitted to NP³ Middle School through this procedure.

Comprehensive Harassment Policies and Procedures

The Charter School is committed to providing a school that is free from sexual harassment, as well as any harassment based upon such factors as 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. The Charter School shall adopt and apply all Charter School policies and procedures involving all forms of harassment and shall notify its students and staff of these policies.

Suicide Prevention

The Charter School shall maintain a policy on student suicide prevention in accordance with Education Code section 215. Said policy shall be reviewed, and updated if necessary, every five years.

Immigration Policies

The Charter School will adopt policies consistent with the guidance and model policies issues by the California Attorney General in accordance with the requirements of AB 699 (2017).

Comprehensive Anti-Discrimination, Harassment and Anti-Bullying Policies and Procedures

The Charter School will be committed to providing a school that is free from bullying, including cyber bullying, discrimination and sexual harassment as well as any harassment based upon such factors as race, religion, creed, color, national origin, ancestry, age, medical condition, marital

status, sexual orientation, or disability. The Charter School will maintain a comprehensive policy to prevent and immediately remediate any concerns about bullying (including cyber bullying), discrimination or harassment at the Charter School (including employee to employee, employee to student, and student to employee misconduct). Misconduct of this nature is very serious and will be addressed in accordance with the Charter School's anti-bullying (including cyber bullying), discrimination and harassment policies. The Charter School will make available online training relating to preventing acts of bullying, including cyberbullying, to all certificated employees and all employees who have regular interaction with students.

Bullying and Cyberbullying Policy

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

The Charter School has adopted and implemented the following policy regarding cyberbullying:

Definition of Cyberbullying

Cyberbullying is the use of electronic information and communication devices to willfully and repeatedly harm either a person or persons through the medium of electronic text, photos, or videos. Examples of this behavior include but are not limited to:

- Sending false, cruel, vicious messages.
- Creating websites that have stories, cartoons, pictures, and jokes ridiculing others.
- Breaking into an email account and sending vicious or embarrassing materials to others.
- Engaging someone in electronic communication, tricking that person into revealing sensitive personal information and forwarding that information to others.
- Posting of a student picture without their permission.

Bullying of this nature creates a hostile, disruptive environment on the school campus and is a violation of a student's right to be safe and secure. Cyberbullying and Harassment will not be tolerated. Actions deliberately threatening, harassing, intimidating an individual or group of individuals, placing an individual in reasonable fear of harm or damaging the individual's property or damaging a person's reputation or disrupting the orderly operation of the school, will not be tolerated.

The online activities and technologies often used by students engaged in Cyberbullying include but are not limited to social networking sites, chat rooms and discussion groups, instant messaging, text messaging, computers, cell phones and personal digital devices, digital cameras,

cell phone cameras, and webcams. As new technologies emerge, they too may be included with the above forms of electronic communication.

Consequences for Harassment and/or Cyberbullying

Education Codes 48900.4 and 48900 (r), strictly prohibit harassment or bullying of any kind and such behavior is subject to suspension and possible expulsion

***** Education Codes section 48900.4 "Harassment, threats, or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment."**

***** Education Code section 48900(r)(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 pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have" one or more of the effects described in 48900(r)(1)(A)-(D).**

If the conduct occurs off school grounds and causes or threatens to cause a substantial disruption at school or interferes with the rights of students to be secure, school administration may impose consequences. The Administration may also report the Cyberbullying or Harassment to the police.

Action Steps to Respond to Cyberbullying or Harassment

- Save the evidence. Print hard copies.
- Identify the Cyberbully.
- Clearly tell the Cyberbully to stop.
- Ignore the bully by leaving the online environment and/or blocking communications.
- File a complaint with the Internet or Cell Phone Company.
- Contact the school administration.

California Healthy Youth Act

NP³ Middle School shall comply with the California Healthy Youth Act in teaching all legally required content, including, but not limited to, sex education, HIV prevention, sexual

harassment and human trafficking to students in grades 7 to 8 at least once in junior high or middle school, pursuant to the California Healthy Youth Act (Education Code Section 51930, *et seq.*)

Transportation Safety Plan

If NP³ Middle School provides transportation to and school or a school activity, it shall prepare a transportation safety plan containing procedures for school personnel to ensure the safe transport of students in accordance with Education Code section 39831.3. In addition, if applicable, the Charter School shall ensure that school buses are equipped with an operation child safety alert system.

Policies Accessible on the School's Internet Website

The Charter School shall ensure that the following information is readily accessible in a prominent location on the School's internet website in a manner that it easily accessible to parents/guardians/pupils: 1) Policy on pupil suicide prevention; 2) The definition of discrimination and harassment based on sex as described in Education Code section 230 and shall include the rights set forth in Education Code section 221.8; 3) The Title IX information required by Education Code section 221.61; 4) A link to the Title IX information included on the California Department of Education's internet website; 5) The School's policy on sexual harassment as it pertains to students; 6) If it exists, the School's policy preventing and responding to hate violence; 7) The School's anti-discrimination, anti-harassment, anti-intimidation and anti-bullying policies; 8) The School's anti-cyberbullying procedures; 9) A section on social media bullying that includes all of the following references to possible forums for social media bullying: a) internet websites with free registration and ease of registration; b) internet websites offering peer-to-peer instant messaging; c) internet websites offering comment forums or sections; d) internet websites offering image or video posting platforms; 10) A link to statewide resources, including community-based organizations, compiled by the California Department of Education; 11) Any additional information the School deems important for preventing bullying and harassment.

STUDENT BALANCE

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

NP³ Middle School considers pupils for admission without regard to 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. At the same time, by means of a carefully crafted and implemented recruitment plan, the school will strive to achieve a racial, ethnic and economic balance of students that reflects the general population of Natomas Unified School District.

The recruitment plan will include the following:

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

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

ADMISSION POLICIES AND PROCEDURES

Admission policies and procedures, consistent with subdivision (e)

Education Code § 47605(c)(5)(H)

Student Admissions Policies and Procedures

Limited only by its capacity, NP³ Middle School admits all students who wish to attend it. No test or assessment will be administered to potential students prior to acceptance and enrollment, and students will be considered for admission without regard to 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.

To ensure that the student body of NP³ Middle School is as culturally diverse as the student population in Natomas Unified School District, and the State of California, the application process for NP³ Middle School will be developed in consultation with administrators in the district. At a minimum, the post-admission process will require applicants to:

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

For enrollment at the sixth grade level or to fill anticipated openings in grades 7 or 8, applicants may apply during a publicly advertised open enrollment period each year beginning October 14th to November 22nd. Following the open enrollment period, applications will be counted to determine whether any grade level has received more applications than there will be available places. If there are more applications than available places, the NP³ Middle School will proceed category by category and hold a public random drawing using the following preferences in priority order to identify those students who will be admitted at each impacted grade level:

- Students who are children of NP³ staff,
- Siblings of currently enrolled NP³ students who are residents of the Natomas Unified School District,
- Students who are residents of the Natomas Unified School District,
- Siblings of currently enrolled NP³ students who are not residents of the Natomas Unified School District,
- Students who are not residents of the Natomas Unified School District.

At the conclusion of the selection process, all students who were not selected for admission will be given the option to put their names on a wait list according to their draw in the lottery. This

wait list will be used to select students to fill any spaces that open prior to or during the next school year, but the wait list will not carry over to the following school year.

AUDITS

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 § 47605(c)(5)(l)

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

VII. MEANS TO ACHIEVE BALANCE OF RACIAL AND ETHNIC PUPILS, SPECIAL EDUCATION PUPILS, AND ENGLISH LEARNER PUPILS REFLECTIVE OF THE DISTRICT

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

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

NP³'s racial, ethnic, special education, and English learner makeup in the 2020-21 school year is included in Attachment A.

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

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 the following: (i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present the pupil's side of the story. (ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following: (I) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate. (iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform the pupil, the pupil's parent or guardian, or the pupil's educational rights holder of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent, guardian or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) or (ii).

Education Code § 47605(c)(5)(J)

Suspension and Expulsion Procedures

This Pupil Suspension and Expulsion Policy is established in order to promote learning and protect the safety and wellbeing of all students at the Charter School. When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. School staff shall enforce disciplinary rules and procedures fairly and consistently amongst all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations.

No pupil shall be involuntarily removed by the NP³ Middle School for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform him or her of the right to initiate the procedures specified in clause (ii) before the

effective date of the action. If the pupil's parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).

Discipline includes but is not limited to advising and counseling students, conferring with parents/guardians, detention during and after school hours, the use of alternative educational environments, suspension and expulsion. 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.

A student has the right to be free from the use of seclusion and behavioral restraints of any form imposed as a means of coercion, discipline, convenience, or retaliation by staff. This right includes, but is not limited to, the right to be free from the use of a drug administered to the student in order to control the student's behavior or to restrict the student's freedom of movement, if that drug is not a standard treatment for the student's medical or psychiatric condition. School staff may use seclusion or a behavior restraint only to control behavior that poses a clear and present danger of serious physical harm to the pupil or others that cannot be immediately prevented by a response that is less restrictive. School staff shall avoid, whenever possible, the use of seclusion or behavioral restraint techniques.

School staff shall not do any of the following:

- Use seclusion or a behavioral restraint for the purpose of coercion, discipline, convenience, or retaliation.
- Use locked seclusion, unless it is in a facility otherwise licensed or permitted by state law to use a locked room.
- Use a physical restraint technique that obstructs a pupil's respiratory airway or impairs the pupil's breathing or respiratory capacity, including techniques in which a staff member places pressure on a pupil's back or places his or her body weight against the pupil's torso or back.
- Use a behavioral restraint technique that restricts breathing, including, but not limited to, using a pillow, blanket, carpet, mat, or other item to cover a pupil's face.
- Place a pupil in a facedown position with the pupil's hands held or restrained behind the pupil's back.
- Use a behavioral restraint for longer than is necessary to contain the behavior that poses a clear and present danger of serious physical harm to the pupil or others.

The Principal 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 Administrative Procedures are available on request at the Principal's office. 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 School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities in Education Act ("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 regular education students except when federal and state law mandates additional or different procedures. The School will follow Section 504 of the Rehabilitation Act, Individuals with Disabilities in Education Act (IDEA), the Americans with Disabilities Act (ADA) of 1990 and all federal and state laws when imposing any form of discipline on a student identified as an individual with disabilities or for whom the School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

A. Definitions (as used in this policy):

1. "Board" means the NP³ Board.
2. "Expulsion" means dis-enrollment from the Charter School
3. "School day" means a day upon which the Charter School is in session or weekdays during the summer recess.
4. "Suspension" means removal of a pupil from ongoing instruction for adjustment purposes. However, "suspension" does not mean the following:
 - a. Reassignment to another education program or class at the charter school where the pupil will receive continuing instruction for the length of day prescribed by the Charter School Board for pupils of the same grade level
 - b. Referral to a certificated employee designated by the Executive Director/Principal to advise pupils.
 - c. Removal from the class but without reassignment to another class for the remainder of the class period without sending the pupil to the Executive Director/Principal or designee.
5. "Pupil" includes a pupil's parent or guardian or legal counsel or other representative.
6. "School" means the Charter School.

B. 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 the

School or at any other school or a School sponsored event 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.

C. Homework for Suspended Pupils

Upon the request of a parent/guardian/educational rights holder/pupil, a teacher shall provide to a pupil in any of grades 1 to 12, inclusive, who has been suspended from school for two or more schooldays, the homework that the pupil would otherwise have been assigned. If a homework assignment that is requested pursuant to the request of the parent/guardian/educational rights holder/pupil and turned into the teacher by the pupil either upon the pupil's return to school from suspension or within the timeframe originally prescribed by the teacher, whichever is later, is not graded before the end of the academic term, that assignment shall not be included in the calculation of the pupil's overall grade in the class.

D. Enumerated Offenses

Students may be suspended or expelled for any of the following acts when it is determined the pupil:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force of violence upon the person of another, except self-defense.
2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Executive Director/Principal/Administrator of designee's concurrence.
3. Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 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 the same as controlled substance, alcoholic beverage or intoxicant.
5. Committed or attempted to commit robbery or extortion.
6. Caused or attempted to cause damage to school property or private property.
7. Stole or attempted to steal school property or private property.
8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel.
9. Committed an obscene act or engaged in habitual profanity or vulgarity.

10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5.
11. 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.

Except as provided in Section 48910, commencing July 1, 2020, a pupil enrolled in any of grades 6 to 8, inclusive, shall not be suspended for any of the acts specified in paragraph (1). This paragraph is inoperative on July 1, 2025.

Beginning July 1, 2020, a student enrolled in the School in kindergarten or any of grades 1 to 12, inclusive, shall not be recommended for expulsion on the basis of having disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials or other school personnel engaged in the performance of their duties.

12. Knowingly received stolen school property or private property.
13. 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.
14. Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, or 289, or former Section 288a, or committed a sexual battery as defined in Penal Code Section 243.4.
15. 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.
16. Made terrorist threats against school officials and/or school property. For the purpose of this paragraph, "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 \$1,000.00, 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 charter school property, or the personal property of the person threatened or his/her immediate family.
17. Committed sexual harassment.
18. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence.
19. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment.

20. Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.
21. Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:
- (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 as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
- (A) Placing a reasonable student or students in fear of harm to that pupil's or those pupils' person or property.
 - (B) Causing a reasonable student to experience a substantially detrimental effect on the student's physical or mental health.
 - (C) Causing a reasonable student to experience substantial interference with the student's academic performance.
 - (D) Causing a reasonable student to experience substantial interference with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school.
- (2)(A) "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 website, including, but not limited to:
 - (I) Posting to or creating a burn page. "Burn page" means an internet website created for the purpose of having one or more of the effects listed in paragraph (1).
 - (II) Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in paragraph (1). "Credible impersonation" means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.
 - (III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). "False profile" means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.

(iii)(I) An act of cyber sexual bullying.

(II) 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 student to another student 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 (A) to (D), inclusive, of paragraph (1). A photograph or other visual recording, as described in this sub clause, 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.

(III) 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.

(B) Notwithstanding paragraph (1) and subparagraph (A), 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.

(3) "Reasonable student" means a student, including, but not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of that age, or for a person of that age with the student's exceptional needs.

The above list is not exhaustive and depending upon the offense a pupil may be suspended or expelled for misconduct not specified above.

Alternatives to suspension or expulsion will first be attempted with students who are truant, tardy, or otherwise absent from assigned school activities.

E. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Informal Conference

Suspension shall be preceded, if possible, by an informal conference conducted by the Principal or the Principal's designee with the student and his or her parent and, whenever practicable, the teacher, supervisor or school employee who referred the student to the Principal. 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 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, the other means of correction that were attempted before the suspension, and shall be given the opportunity to present his or her version and evidence in his or her defense.

This conference shall be held within two school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization.

No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with 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, a School employee 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.

This notice shall state the specific offense committed by the student. In addition, the notice shall also state the date and time when the student may return to school. If 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, the Principal shall 1) provide timely, written notice of the charges against the student and an explanation of the student's basic rights; 2) provide a hearing adjudicated by a neutral officer within a reasonable time at which the student has a fair opportunity to present testimony, evidence and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel. At this hearing, it will be determined whether the presence of the student at the school would cause a danger to persons or property or a threat of disrupting the instructional process pending the results of an expulsion hearing.

F. Authority to Expel

A student may be expelled either by the NP3 Board following a hearing before it or by the NP³ Board upon the recommendation of an Administrative Panel to be assigned by the NP³ Board as needed. The Panel should consist of at least three members and its members shall have no

interest in the outcome of the expulsion proceeding. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

G. 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.

The expulsion hearing will be presided over by the NP³ Board President or the chair of the Administrative Panel. In the event an administrative panel hears the case, it will make a recommendation to the NP3 Board for a final decision whether to expel. The hearing shall be held in closed session unless the pupil makes a written request for a public hearing three (3) days prior to the hearing.

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

1. The date and place of the expulsion hearing;
2. A statement of the specific facts, charges and offenses upon which the proposed is based;
3. A copy of the 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 school to any other school district or school to which the student seeks enrollment;
5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel or an advocate;
6. The right to inspect and obtain copies of all documents to be used at the hearing;
7. The opportunity to present testimony, evidence and witnesses as well as 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.

H. 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.

I. 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 and sworn declarations may be admitted as testimony from witnesses of whom the NP³ Board, Panel or designee determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

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

The decision of the Administrative Panel shall be in the form of a written recommendation to the NP³ Board who will make a final determination regarding the expulsion. The final decision by the NP³ Board shall be made within ten (10) school days following the conclusion of the hearing.

J. Written Notice to Expel

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

1. Notice of the specific offense(s) committed by the student
2. 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 School.
3. Information about alternative education options as well as a proposed rehabilitation and/or readmission plan if deemed appropriate.

The Principal or designee shall send written notice of the decision to expel to the Student's District of residence, and the Natomas School District.

This notice shall include the following:

1. The student's name
2. The specific expellable offense(s) committed by the student

K. Disciplinary Records

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

L. Expelled Pupils/Alternative Education

Pupils who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence.

M. Rehabilitation Plans

Students who are expelled from the Charter School shall be given a rehabilitation plan upon expulsion as developed by the NP³ 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 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 and the pupil and guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Principal shall make a recommendation to the Board following the meeting regarding his or her determination. The pupil's readmission is also contingent upon the School's capacity at the time the student seeks readmission.

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

1. Notification of District

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

2. Services During Suspension

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP/504 Plan; and receive, as appropriate, a functional behavioral assessment or functional analysis, and behavioral intervention services and modifications, that are designed to

address the behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting.

3. Procedural Safeguards/Manifestation Determination

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

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

RETIREMENT

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 § 47605(c)(5)(K)

All applicants for positions at NP³ will be informed about retirement system options, and, as appropriate to their positions, all employees will participate in STRS, PERS, and/or the federal Social Security system.

PUBLIC SCHOOL ATTENDANCE ALTERNATIVES

The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.

Education Code § 47605(c)(5)(L)

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

RIGHTS OF SCHOOL DISTRICT EMPLOYEES

The rights of any 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 § 47605(c)(5)(M)

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

DISPUTE RESOLUTION

The procedures to be followed by the charter school and the chartering authority to resolve disputes relating to provisions of the charter.

Education Code § 47605(c)(5)(N)

Disputes within the School

All disputes within NP³ Middle School will be resolved by the school using its own internal policies for dispute resolution. The District will become involved in resolving these internal disputes only if the school requests District involvement or if the internal dispute relates to the District's oversight responsibilities or one of the reasons under Education Code § 47607 for which a charter can be revoked.

Disputes between the School and the District

NP³ Middle School and Natomas Unified School District will always try to resolve disputes between them amicably and reasonably without resorting to formal procedures. Unless legally required to do otherwise, both parties will refrain from public commentary regarding any dispute until the matter has progressed through the dispute resolution process.

If a dispute between NP³ Middle School and Natomas Unified School District arises, staff and/or board members of the school and district will first frame the issue in written form and refer it to the superintendent of the district and the principal of the school. Not later than five business days after receipt of the dispute statement, the principal and superintendent will informally meet and confer in an attempt to resolve the dispute. If this informal meeting fails to resolve the dispute, both parties will identify two governing board members from their respective boards who will jointly meet with the superintendent and principal and attempt to resolve the dispute within 15 business days after receipt of the dispute statement. If this meeting fails to resolve the dispute, either party may, within five (5) business days following the meeting, submit the matter first to the Sacramento County Superintendent of Schools. The parties agree to be bound by the County Superintendent's decision and shall indicate as such when submitting the matter to the County Superintendent. If the County Superintendent declines to hear the matter, the parties may submit their dispute to a mutually agreeable mediator, for final resolution in accordance with any procedure determined and prescribed by the mediator and agreed to by the parties. Review by the County Superintendent or mediator to be held no later than forty-five (45) business days of receipt of the initial dispute statement. The County Superintendent or mediator's decision will be final, and the costs of mediation will be split evenly between the district and the school. All of the above timelines may be revised if mutually agreed upon by the District and the Charter School.

In the event that the Authorizer believes that the dispute relates to an issue that could lead to the revocation of the charter, the Charter School requests that this shall be specifically noted in the written dispute statement. The Charter School agrees that these dispute resolution procedures cannot be utilized to impede or prevent the Authorizer from proceeding toward revocation or non-renewal which shall be done in accordance with Education Code Section 47607 and applicable regulations.

CLOSURE PROCEDURES

The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.

Education Code § 47605(c)(5)(O)

In the event that NP³ Middle School closes, the following procedures will apply regardless of the reason(s) for closure:

1. NP³ Middle School will designate a responsible entity to conduct closure-related activities.
2. NP³ Middle School will make notification of the closure of NP³ Middle School to parents (guardians) of pupils, the authorizing entity, the county office of education (unless the county board of education is the authorization entity), the special education local plan area in which the school participates, the retirement systems in which the school's employees participate (e.g., Public Employees' Retirement System, State Teachers' Retirement System, and federal social security), and the California Department of Education, providing at least the following:
 - A. The effective date of the closure;
 - B. The name(s) of and contact information for the person(s) to whom reasonable inquiries may be made regarding the closure;
 - C. The pupils' school districts of residence; and
 - D. The manner in which parents (guardians) may obtain copies of pupil records, including specific information on completed courses and credits that meet graduation requirements. Provision of a list of pupils in each grade level and the classes they have completed, together with information on the pupils' district of residence, to the responsible entity designated in subdivision (1).
3. Transfer and maintenance of all pupil records, all state assessment results, and any special education records to the custody of the responsible entity designated in subdivision (a), except for records and/or assessment results that the charter may require to be transferred to a different entity.
4. Transfer and maintenance of personnel records in accordance with applicable law.
5. Completion of an independent final audit, at the Charter School's sole expense, within six months after the closure of the school that may function as the annual audit, and that includes at least the following:

- A. An accounting of all financial assets, including cash and accounts receivable and an inventory of property, equipment, and other items of material value.
 - B. 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.
 - C. An assessment of the disposition of any restricted funds received by or due to the Charter School.
6. Disposal of any net assets remaining after all liabilities of the charter school have been paid or otherwise addressed, including but not limited to, the following:
- A. The 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.
 - B. The return of any donated materials and property in accordance with any conditions established when the donation of such materials or property was accepted. Upon closure of the Charter School, all assets of the school, including, but not limited to, leaseholds, personal property, intellectual property, ADA apportionments, and other revenues generated by students attending the school, after payment of all debts and liabilities and refunds to applicable agencies, shall revert to Natomas-Pacific Pathways Prep High School for use in its educational programs but if no longer in operation to the District. Any District property will be promptly returned to the District upon the Charter School's closure.
7. Completion and filing of any annual reports required pursuant to Education Code section 47604.33.
8. Identification of funding for the activities identified in subdivisions (1) through (7).

VIII. FINANCIAL PLANNING, REPORTING, AND ACCOUNTABILITY

Budgets

The NP³ Middle School shall continue to submit its annual budgets and cash flow/financial projections pursuant to NUSD policy and upon request by NUSD, as set forth below.

Financial Reporting

NP³ Middle School shall provide the following budget reports to Natomas Unified School District during each fiscal year of operation as stated in the MOU and follows, and may provide additional fiscal reports as requested by the District:

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

Funding and Oversight Fee

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

The Charter School agrees that all funding received for the Charter School, from any and all sources, including but not limited to all funding sources set forth in this Charter and the MOU, or other agreement with the District, shall be used exclusively to operate the NP³ Middle School and Natomas Pacific Pathways Prep High School, and any future Natomas Pacific Pathways Prep program authorized by the District, and shall not be used, either directly or indirectly, or by loan or gift, to fund, assist, pay for the debts of, or towards the operation of, any other school or establishment managed, controlled, or operated by the Corporation or Charter School, or operated by its members, officers, agents, servants, and employers, or for any other purpose whatsoever, unless mutually agreed by the parties. This language is not meant to prevent the Charter School from sharing services, non-District facilities, or joining a JPA with other charter schools operating in the District at their own cost. The District and Charter School also agree that funds of the Charter School may be used to pay NP³ Middle School and Natomas-Pacific Pathways Prep High School pro-rated share of central administration costs for administrative services provided by the District.

In consideration for the actual costs of supervisory oversight by the District, the Charter School shall pay an amount not to exceed one percent (1%) of the revenue of the Charter School (hereinafter, the "Oversight Fee") pursuant to Education Code section 47613. "Supervisory oversight" for purposes of this section shall be limited to those duties listed in Education Code section 47604.32(a) through (b), only. "Revenue" for purposes of this calculation shall include the general-purpose entitlement calculated pursuant to Education Code section 47633, and the categorical block grant calculated pursuant to Education Code section 47634, as computed by the local control funding formula pursuant to Education Code sections 42238.02 and 42238.03. "Revenue" for purposes of this calculation shall not include Charter School fund-raising activities, private donations, other public grants, or any other source of income developed by the Charter School.

Local Control Accountability Plan

On or before July 1, 2019, and each year thereafter, the Charter School shall provide the District its Local Control Accountability Plan ("LCAP") in accordance with Education Code sections 47606.5 and 52064. The LCAP shall include the goals and annual actions to achieve those goals as identified in the Charter pursuant to Education Code section 47605(b)(5)(A) or Section 47605.6(b)(5)(A). The LCAP and annual update shall be developed using the template adopted pursuant to Section 52064 and shall include all of the following:

- (1) A review of the progress toward the goals included in the Charter, an assessment of the effectiveness of the specific actions described in the Charter toward achieving the goals, and a description of changes to the specific actions the Charter School will make as a result of the review and assessment.
- (2) A listing and description of the expenditures for the fiscal year implementing the specific actions included in the Charter as a result of the reviews and assessment required by paragraph (1).

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

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

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

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

Insurance

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

Administrative Services

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

Payment Schedule

The Charter School shall pay the administrative services fee, special education general fund encroachment fee, supervisorial oversight fee, and any other fees in quarterly installments for each school year covered as set forth in the Charter and/or MOU. The District shall invoice the Charter School for fees due as of September 30, December 31, March 31, and June 30, with invoices to be prepared and submitted by the District to the Charter School within thirty (30) calendar days during the year and by September 15 (when the books are closed) at the end of the year. The Charter School shall pay all invoices within fifteen (15) business days of their

issuance by the District. In the event payment is not received within five (5) business days following the payment due date, the Charter School authorizes the District to deduct any such fees from the funds deposited in its account with the District.

Alternatively, the District may elect to offset and deduct any such fees from the District in-lieu property tax revenues next payable to the Charter School, in which case the District shall provide the Charter School with a detailed statement showing the amount of any such offset.

Facilities

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

Transportation

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

a. Impact on the Charter Authorizer

Potential Civil Liability Effects

The statement that follows is intended to fulfill the terms of Education Code § 47605(g), and it provides information regarding the proposed operation and potential effects of NP³ Middle School on Natomas Unified School District.

NP³ Middle School will be operated by P20 Consortium, which is organized and operated exclusively for charitable purposes within the meaning of § 501(c)(3) of the Internal Revenue Code and the California Revenue and Taxation Code § 23701d.

Pursuant to Education Code § 47604(c), an entity that grants a charter to a school operated by or as a non-profit public benefit corporation will not be liable for the debts or obligations of the school or for claims arising from the performance of acts, errors, or omissions by the school, if

the authority has complied with all oversight responsibilities required by law. The charter school will work diligently to assist the approving district in meeting any and all oversight obligations under the law, including monthly meetings, reporting, or other requested protocol to ensure that the district is not liable for the operation of the charter school. Further, the charter school and the district have entered into a MOU that provides for indemnification of the district, and the Board of the charter school will institute appropriate risk management practices, including screening of employees, establishing codes of conduct for students, staff, and participating families, and establishing policies and procedures governing financial transactions and dispute resolution.

IX. SUPPORT FOR RENEWING THE NATOMAS PACIFIC PATHWAYS PREP MIDDLE SCHOOL AS A CHARTER SCHOOL IN NATOMAS UNIFIED SCHOOL DISTRICT

In general.

P20 Consortium and the NP³ Board members are in full support of this renewal petition.