

**SKY MOUNTAIN CHARTER SCHOOL**  
**CHARTER**

**Lucerne Valley Unified School District Governing  
Board**

10790 Barstow Road  
Lucerne Valley, California 92356

Prepared in compliance with the terms, conditions, and requirements of  
**EC 47605 and related statutes and as amended - The Charter School Act**

Submitted for renewal on

**November 22, 2011**

## **I. Founding Group**

### **Innovative Education Management, Inc**

Innovative Education Management, Inc. (“IEM”), is a nonprofit 501(c)(3) public benefit corporation that specializes in charter school development, management, administration, oversight, advocacy, and finance. IEM also provides services in curriculum development, teacher training, educational resources and technical support.

Innovative Education Management, Inc.’s primary personnel have over thirty years aggregate experience in public school education, school boards, and charter school administration. They are charter school pioneers, having worked with several of the earliest California charter schools in the early 1990s. With different but complementary educational experiences, they are deeply committed to extensive parental involvement in K-12 education. They hold the belief that each child learns most effectively when his or her education is tailored to meet individual learning styles and interests. They believe that each child will perform to his or her fullest in personalized learning environments. They are experienced in overseeing charter school administration, including budget development, hiring and training the educational staff, implementing special education regulations, managing the educational support departments, and ensuring that the charter school is fully accountable and in compliance with all state and charter school laws and regulations.

IEM will develop, manage, and operate Sky Mountain Charter School pursuant to the terms of this charter. If IEM ceases to be the manager for the charter school, the charter will terminate automatically.

## **II. Educational Philosophy and Program [Education Code §47605(b)(5)(A)(i)]**

### *Mission*

We believe in educating each of our students for the 21<sup>st</sup> century by providing individualized learning opportunities that incorporate parental participation, choice and involvement in curricula offered in personalized learning environments and small learning communities (“SLC”).

### *Educational Philosophy*

This charter school shall be known as Sky Mountain Charter School (hereafter “SMCS”) and its administrative office shall be located at the IEM office in Placerville, CA.

SMCS will operate on the understanding that all students have different learning styles, abilities and background experiences. As important as “what” students learn is “how” they learn. The former may be viewed as the end goal of education while the latter is the road leading to it. SMCS will utilize learning and assessment modalities that, based on current research, identify best practices regarding how students learn.

SMCS identifies an educated person in the twenty-first century to mean a person who is literate, can understand and function sufficiently in the world around him or her, has an overview of the history of mankind, has an understanding of United States political processes, has an ability to

solve mathematical problems and to think scientifically, and has the values necessary to enhance the world in which he or she lives. This person is one who has realized his or her own unique educational interests, talents, or abilities, whether it is in the arts, sciences, or other areas. It is the goal of this charter school to help students become educated individuals who are intrinsically motivated to learn, who have diverse yet well-developed interests, and are becoming competent lifelong learners.

Each minor student and at least one parent/guardian/caregiver, and each adult student, with the assistance of SMCS Education Specialists(ES) and ES Advisors, shall design, consistent with SMCS student standards and policies, appropriate curricula based upon the student's educational needs and objectives, and shall sign a written agreement with SMCS that clearly describes the student's individual educational goals and curriculum for each school year the student is enrolled with SMCS. The written agreement shall describe the student's course(s) of study, the chosen method(s) of ascertaining competence in designated course(s) of study, and if applicable, the credit(s) the student will receive upon successfully demonstrating competence and completing the course of study. SMCS shall regularly consult with its parents, guardians, and teachers regarding the school's educational programs. [Education Code §47605(c)(2)]

High School Program [Education Code §47605(b)(5)(A)(ii)]

SMCS high school students and parents will receive information on the transferability of courses to other public high schools and eligibility for college entrance through individual meetings with his/her assigned Education Specialist and the charter school guidance counselor. SMCS Education Specialists (credentialed teachers) will receive annual training in these requirements.

Students to be Served [Education Code §47605(d)(1)]

SMCS will be open to all students in grades K-12 in San Bernardino county, and its contiguous counties of Inyo, Kern, Los Angeles, Orange, and Riverside. SMCS will be nonsectarian in its programs, admission policies, employment practices, and all other operations. SMCS will specifically target currently non-enrolled students seeking a non-traditional, small learning community-based educational setting. SMCS shall not charge tuition, and shall not discriminate against any pupil on the basis of ethnicity, gender, religion, national origin, ability, disability, or place of residence. Enrollment space will be based on need in the community and availability of qualified, trained NCLB certified credentialed teachers to serve as Education Specialists.

As of November 22, 2011, SMCS current enrollment is approximately 1744 students. SMCS anticipates a minimum annual 5% increase in enrollment.

Parents who enroll their children in SMCS shall, through specific enrollment and curriculum contracts, accept responsibility for their children's education. SMCS will support its students and parents both with appropriate educational materials and with a team of NCLB certified California teacher credentialed Education Specialists, ES Advisors, and school administrators. SMCS Education Specialists and ES Advisors shall advise and assist parents and students in all aspects of student education pursuant to relevant contracts.

The Charter School hereby irrevocably designates the District as having a legitimate educational interest such that appropriate employees are entitled to access to education records of Charter

School students under 20 U.S.C.A 1232g, the Family Educational Rights and Privacy Act and California Education Code 49076(b)(6) (“FERPA”). Charter School, its officers and employees shall comply with FERPA at all times.

### Curriculum and Instructional Design

Students who attend SMCS will be educated in personalized learning environments, including small learning communities, through standards based, individually designed curricula, which may include but are not limited to, small group instruction, apprenticeships, community-based educational programs, group seminars, distance learning via current technology, individualized tutorials, computer assisted instruction, cooperative school programs and classes, on-the-job training, flexible course scheduling, and independent study, either within or outside of the student’s home. The projected teacher to student ratio for all grade levels will average 1:25, and for small group instruction, 1:15. All student curricula will be subject to approval by Innovative Education Management, Inc., consistent with state law. State-adopted content standards will be covered in the curriculum selected for each student. For purposes of NCLB, this charter school defines core subjects to be 1) English, Reading, and Writing, 2) Mathematics, 3) History/Social Science, and 4) Science. This charter school designates middle school to be an elementary program.

This charter school’s parents, students, teachers, administrators and staff believe that the best learning occurs when:

- Academic instruction is viewed as one important and central aspect of an effective education that leads to mastery of the state content standards.
- Flexible instructional practices are tailored to the strengths of the students and their learning style and are congruent with the SLC’s intended academic outcome.
- Teachers not only teach but also mentor, support and coach students and each other.
- Contextual learning is emphasized allowing students to grasp the logical application of their learning.
- Parents are active partners in the school, in the creation of learning opportunities and in the work produced by their child(ren).
- Real life context-based learning is emphasized within a personalized learning environment.
- The entire community serves as a platform for learning. Learning opportunities integrate and bridge school-based learning with community-based learning.

Educational program goals of SMCS include, but shall not be limited to, the following areas of student attainment. Students will:

- Apply the skills and concepts of the school’s academic content standards and the state content standards in their daily assignments.
- Actively engage in skill development and in the discovery and construction of their own knowledge by participation in individual learning activities.
- Demonstrate the ability to use technology efficiently in academic assignments.

- Recognize and use their strongest skills and abilities to build confidence and motivation to improve in areas where they are weak.
- Be provided with opportunities to explore their potential in the visual and performing arts and or with a foreign language.

SMCS affirms the importance of educating children to be optimally prepared for the twenty-first century. Living in the age of computers and the internet provides students the opportunity to acquire knowledge unlike any other time in history. SMCS will be continuously updating its curricular options to allow its students to utilize state-of-the-art educational technology and learning systems.

#### *Plan for Students who are Academically Low Achieving*

To directly support low achieving students, SMCS believes that the teacher, parents, and student must collaborate to design the optimal individualized education plan. All students will be assessed upon admission to SMCS. Teachers are trained to use the various resources available on the SMCS curriculum website, as well as other internet resources, to help with developing individualized education plans. With the co-creation (by teacher, parents, student) of the student's individual learning plan, which includes the initial assessment and the student's learning style and interests, the success rate for the low achiever will be greatly enhanced. SMCS believes that both the confidence and the motivation to learn begins by meeting the student at the current level of academic proficiency and then adjust the pace and rigor of learning to challenge and engage her or his full potential. Teachers will monitor Students' monthly progress with parents and will make appropriate adjustments to each student's educational plan.

#### *Plan for Students who are Academically High Achieving*

The individual learning plan of high achieving students will be adapted for their individual needs and allow for them to be accelerated and/or be more highly challenged in their studies. SMCS is WASC accredited and can offer A-G and AP courses that will allow its students to have access to California's UC and CSU systems. SMCS' guidance department will offer opportunities for all of our students to apply for a number of different scholarships for which they qualify.

#### *Plan for English Learners*

All EL students will be CELDT tested upon enrollment according to the legal guidelines. SMCS believes that all EL students who are not proficient in the English language need every opportunity to be able to become proficient.. SMCS will train its teachers to test these students to find out their areas of weakness so the teachers can choose the right curriculum to help EL students in their educational process. SMCS will test the students annually until they are proficient in English.

#### *Plan for Special Education*

The charter school shall serve the needs of disabled pupils by complying with applicable state and federal laws and regulations prohibiting discrimination against, and requiring a free appropriate public education be provided to, children with disabilities.

SMCS will accomplish this by:

- Interface with district's SELPA to insure compliance with all phases of special education including: referral, assessment and identification, and services to insure that all phases of Federal IDEA mandates are followed.
- Develop special education language in a Memorandum of Understanding between the charter and the district, to clearly delineate the charter school's roles and responsibilities for the operation of special education programs.
- Coordinate all phases of the IEP process (meeting notices, IEP development, implementation, and monitoring) for all students referred and/or identified for special education.
- Monitor IEPs for compliance as required to meet state mandates (including Coordinated Compliance Review and CASEMIS)
- Develop a spreadsheet specifying entitlements based upon AB 602 funding models.
- Monitor special education expenditures with sponsoring district and SELPA to insure there is no encroachment to the sponsoring district.
- Interface with families of identified students attending the charter school.

In the event that SMCS, at its election, presents verifiable written assurances during the term of this Charter that SMCS will participate as an LEA in a special education local plan approved by the State Board of Education, the parties agree to amend this Charter and any applicable MOU provisions to enable SMCS to do so.

### **III. Measurable Student Outcomes [Education Code §47605(b)(5)(B)]**

The measurable 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 aligned with California State Frameworks and Content Standards. Students will demonstrate competency in seven (7) school growth area goals. The extent to which students achieve these goals is determined by mastery of the student standards and by demonstrated proficiency on STAR-specific assessments:

*Student reads and writes effectively.*

- Student reads actively and derives meaning from written media.
- Student reads extensively for a variety of purposes.
- Student writes using grammatically acceptable English.
- Student adjusts tone and style of writing for purpose and audience.
- Student supports statements using well-rounded facts, theory, and opinion
- Student separates fact from opinion.
- Student logically reaches conclusions based on sufficient evidence.
- Student clearly and succinctly states key points.
- Student organizes ideas in a variety of ways.
- Student demonstrates creativity through style, organization, and development of content.

*Student sufficiently understands and functions in the world around him.*

- Student demonstrates involvement in his/her community.
- Student has knowledge of the reciprocal relationship between the individual and his/her environment.
- Student demonstrates various skills in seeking employment and/or college admission.

- Student understands and demonstrates his/her role as an employee, consumer, and financial manager.
- Student identifies and documents the effects of technology on his/her environment.
- Student participates in physical activities that develop strength, endurance, and personal fitness.

*Student appreciates the history of mankind in all its diversity.*

- Student shows his/her appreciation for history by identifying relationships between past and present events or situations involving cause and effect: people, events, or situations influencing an action or result.
- Student shows his/her appreciation for history by identifying relationships between past and present events or situations involving comparison: similarities and differences.
- Student shows his/her appreciation for history by identifying relationships between past and present events or situations involving classification: events and situations explained as political, economic, social, and/or intellectual.
- Student shows his/her appreciation for history by identifying relationships between past and present events or situations involving anticipation of the future using evidence from the past and the present to draw conclusion about the future.
- Student shows his/her appreciation for history by identifying relationships between past and present events or situations involving understanding of the extent of time.
- Student applies physical and cultural geography to his/her understanding of societies.

*Student comprehends the political process.*

- Student understands the structures, operations, and relationships of the governments in the United States.

*Student applies mathematical principles and operations to solve problems.*

- Student demonstrates knowledge of basic skills, conceptual understanding, and problem solving with numbers and operations.
- Student demonstrates knowledge of basic skills, conceptual understanding, and problem solving in geometry and measurement.
- Student demonstrates knowledge of basic skills, conceptual understanding, and problem solving in functions and algebra.
- Student demonstrates knowledge of basic skills, conceptual understanding, and problem solving in statistics and probability.
- Student solves problems that make significant demands in one or more of these aspects of the solution process: problem formulation, problem implementation, and problem conclusion.
- Student communicates his/her knowledge of basic skills, understanding of concepts, and his/her ability to solve problems and understand mathematical communication of others.

*Student applies scientific concepts and skills to explain his world and find solutions to its problems.*

- Student observes, compares, orders, and categorizes characteristics and behaviors.
- Student communicates ideas.
- Student relates factors of differing objects and events, and infers about unknown or unseen processes.
- Student applies knowledge and thought processes to explain his/her world and solve problems.
- Student shows a perception of the interrelationships among the scientific themes (energy,

interactions, patterns, and change) and their application to the four spheres (lithosphere, hydrosphere, atmosphere, ecosphere).

→ Student recognizes the effects of the sciences, technologies, and societies on one another and on the environment.

*Student realizes his own unique educational interests, talents, and abilities.*

→ Student participates in visual and performing arts, obtains aesthetic perception and valuing opportunities, and understands historical and cultural contributions, or

→ Student communicates in a language other than English, while gaining knowledge and understanding of different cultures.

Students participate with their assigned Education Specialist and parents in the design of an individualized learning plan that incorporates all aspects of his/her educational program.

### Academic Performance Index

The Academic Performance Index (API) was the cornerstone of California's Public Schools Accountability Act of 1999. It measures the academic performance of schools on a variety of academic measures. After the first calendar year, an API base is established. The fall of each progressive year indicates the API growth rate. The scores are ranked in 10 categories from 0-10 referred to as deciles. The scores run from 200-1000. Results of three test components of the Standardized Testing and Reporting (STAR) Program, as well as the CAHSEE, are used in calculating the API Base. SMCS believes that by using an initial enrollment assessment, developing an individual learning plan for each student, and tracking monthly progress using the methods of assessment outlined below, enrolled students will make continual academic progress.

The AYP is comprised of four major components. First, is the achievement of a 95% participation rate on assessments of CST's CAPA 10<sup>th</sup> grade and CAHSEE 10<sup>th</sup> grade. Secondly, the achievement of the annual measurable objectives (AMOs) in both ELA and math must be met. Thirdly, the school wide API is considered. Lastly, the graduation rate is considered only for high schools and is based on the National Center for Education Statistics (NCES) completion rate.

The No Child Left Behind Act (NCLB) requires that all students perform at or above the proficient level on state standards-based assessments by 2014. In order to achieve this goal and meet annual performance objectives, districts and schools must improve each year according to set requirements. It is the clear intention Sky Mountain Charter School to do everything reasonably possible to be in compliance to make AYP and have a positive impact on the District.

### Methods Of Assessment [Education Code §§47605(b)(5)(C), 47605(c)(1)]

All students will achieve the student standards by graduation, but not all students will progress at the same rate. Certificated Education Specialists shall consider each student's individual abilities, interests, and talents in utilizing the following measurements.

The charter school shall administer the mandated state assessments and shall also meet any required state performance standards as developed. Every year the charter school shall receive an evaluation via the State of California's Academic Performance Index (API) based on mandated

state assessments to determine if students are achieving academic levels which are at least equivalent to or exceeding those achieved by students in similar type schools across the state.

Additionally, student progress will be assessed through the current state mandated assessment tools (STAR, CAHSEE, CELDT, and PFT) and a variety of the following:

- Monthly review of work (learning record),
- Annual portfolios,
- Parent, student, and Education Specialist observation,
- Norm and criterion referenced tests,
- Student demonstrations,
- Student grades.

#### Use and Reporting of Data

We will give each student a baseline assessment when they initially enter our school so that we can track individual student progress. We will keep a database system where we will track the state mandated test scores for each of our students. We will report assessment data to our parents in the school newsletter, as well as posting our yearly SARC report on our school website. We will evaluate the data to see if any changes need to be made to our program on an ongoing basis.

#### **IV. The Governance Structure of the School** [Education Code §47605(b)(5)(D)]

The charter school shall be governed by the School Council, which will consist of 19 parents of SMCS students. Except as otherwise provided herein, the members of the School Council shall be elected by a majority vote cast by the parents of SMCS students, and the term of office for each member shall be two years. Elections shall be held during May of each year. Each election shall be by written ballot. Each family having one or more student(s) enrolled in SMCS on the date of the elections shall be entitled to one vote per enrolled student. No more than one parent from any family may serve as a School Council member at any time. A quorum of the School Council necessary for the transaction of business shall be a majority of the elected members. All business of the School Council shall be by the majority of the members attending a School Council meeting. The School Education Director or designee shall preside, but not vote, at all School Council meetings.

All meetings of the School Council shall comply with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Division 2 of Title 5 of the Government Code), and shall take place at least semi-annually. The charter school practices and policies will ensure parental involvement through the School Council activities.

The School Council will be responsible for developing the school council by-laws and each member will each be a part of a sub-committee responsible for the following: WASC accreditation parent group, organizing student group educational activities, developing a school yearbook, coordinating fundraising events, STAR testing volunteer coordination, organizing the yearly graduation ceremony, and other school events and activities approved by the school Education Director. The School Council will uphold the mission of the school, monitor the school's performance, and make suggestions to the school administrators for school improvement

The charter school will be operated as a public charter school and shall be managed by IEM, a 501(c)(3) California nonprofit public benefit corporation. IEM will oversee all aspects of the charter school's operations, and will act as liaison with the sponsoring district. IEM shall establish and approve all major educational and operational policies, approve all major contracts, approve the school's annual budget and oversee the school's fiscal affairs, and select and evaluate the school Education Director and administrative staff. IEM will act as SMCS's fiscal agent to the fullest extent of the law. In fulfilling all obligations relating hereto, IEM and SMCS shall comply with the provisions of Charter School Legislation and the State Department of Education directives regarding charter schools.

As outlined in Education Code section 47604(c), the Lucerne Valley Unified School District, as the authority that grants a charter to a charter school to be operated by, or as, a nonprofit public benefit corporation, shall not be liable for the debts or obligations of the charter school. SMCS shall maintain a comprehensive range of insurance coverage, commensurate with that of other public schools and/or nonprofit organizations of similar type and size, to protect both itself and the sponsoring district. Details of this policy will be outlined in a Memorandum of Understanding ("MOU") between SMCS and the sponsoring district and a copy of this insurance policy will be available for review to the sponsoring district. [Education Code §47605(g)]

## **V. Human Resources**

### Qualifications of School Employees [Education Code §47605(b)(5)(E)]

The School Education Director will be responsible to ensure that appropriate arrangements for student assignments are made. All charter school students are assigned to an Education Specialist who shall hold a NCLB certified Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. Additional certificated and non-certificated personnel may be hired to assist in providing supplementary instruction, management and support services. All staff of SMCS will have the necessary qualifications, skills, experience, certification, and credentials to fulfill their job description. These documents and job descriptions shall be maintained on file at the school website and shall be subject to periodic inspection upon request by the District.

### Compensation and Benefits [Education Code §47605(b)(5)(K)]

Compensation for ESs will be based on the number of active students assigned to the Education Specialist (ES) for each official school day, the grade levels served, and their placement on the salary schedule. Compensation for the School's administrative personnel will not exceed that of the average California school district pay schedule for schools of a similar size. The charter school will offer medical, dental, chiropractic, and vision healthcare insurance for eligible full-time employees as defined by charter school law. Employees of SMCS shall participate in STRS, PERS, or Social Security depending upon eligibility with the corresponding agency.

### Employee Representation [Education Code §47605(b)(5)(O)]

All employees of SMCS shall be employees of the charter school and not employees of any District or the SBE for the purposes of AB 631. This charter school shall be deemed the

exclusive public school employer of the employees of SMCS for the purposes of the Educational Employment Relations Act. [Government Code §3540.1]

Rights of School District Employees [Education Code §47605(b)(5)(M)]

Persons employed by SMCS shall not be deemed to be employees of the sponsoring district for any purpose whatsoever. All employees leaving the district to work at SMCS shall enjoy the same employee benefits as all other employees of SMCS with similar job classifications. All employees leaving SMCS to work in the sponsoring district shall enjoy the employee benefits specified by the LEA.

Health and Safety [Education Code §47605(b)(5)(F)]

SMCS shall comply with all of the requirements of Education Code section 44237 to ensure the safety of employees and students. SMCS will comply with all applicable laws, including the Family Education Rights and Privacy Act, concerning immunization, health and safety, first aid, child abuse reporting and related issues for both employees and students. All employees of SMCS will furnish criminal record summaries in accordance with Education Code section 44237.

Dispute Resolution [Education Code §47605(b)(5)(N)]

Any dispute between SMCS and IEM, Inc., as one party, and the sponsoring district as another party (collectively "the Parties") shall be resolved in accordance with the following procedure. The term dispute means any alleged violation, misinterpretation, or misapplication of a specific provision of this Charter or the MOU between the parties, which does not constitute a severe and imminent threat to the health and safety of pupils. The parties will first attempt to resolve disputes between them by discussion and agreement between, as appropriate, the District Superintendent or designee as one party, and a representative of IEM, Inc, a representative of the SMCS School Council, and the school Education Director of SMCS as another party within thirty (30) days of any party identifying any such dispute in a written notice sent to all other parties. If the parties are unable to reach agreement, the dispute shall be referred to non-binding mediation before a single neutral mediator. A request for mediation shall be in writing and must be served on all other non-requesting parties no later than fourteen (14) calendar days from the date the parties last met to discuss the dispute but were unsuccessful in reaching an agreement. A request for mediation shall succinctly state the nature of the dispute and the relevant provisions of the Charter and/or MOU. The mediator shall be selected by mutual agreement. The mediation shall commence within thirty (30) calendar days from the date of receipt of the request for mediation, unless extended by mutual agreement for the convenience of the parties and/or mediator. The costs of mediation shall be born equally by all of the parties. No party shall commence any litigation or other administrative action in connection with any dispute relating to this Charter or any MOU between the parties without first exhausting this dispute resolution procedure.

All matters not resolved by agreement or mediation as provided herein shall within 90 days thereafter be submitted to binding arbitration before a panel of three arbitrators. Each party shall select one arbitrator, and the two arbitrators selected by the parties shall select a third arbitrator who shall preside over the arbitration panel. Each party shall bear the cost of their own

arbitrator, shall equally bear the neutral arbitrator's cost. The prevailing party to any such arbitration shall be entitled to recover all reasonable fees and costs of arbitration.

This dispute resolution process shall not apply to any dispute between the parties relating to any matter arising out of Education Code §47607(c).

## **VI. Student Admissions, Attendance, and Suspension/Expulsion Policies**

### Student Admission Policies and Procedures [Education Code §§47605(b)(5)(H), 47605(d)(1)]

Students will be considered for admission without regard to ethnicity, national origin, gender, and disability or achievement level. Admission will not be determined according to the place of residence of the student or parents, except as required by law. Prior to admission, all parents must sign the written agreement regarding the charter school outcomes, philosophy, program, and any other applicable requirements including special education services offered by the charter school. All students' continued enrollment shall depend upon them fulfilling the terms of the written agreement.

[Education Code §47605(d)(2)(A) & (B).] Charter schools are schools of choice. All students in the Lucerne Valley Unified School District, neighboring districts and K-12 students residing in counties contiguous with and including San Bernardino County are eligible to attend SMCS. If more students apply than can be admitted, the following admission processes will be followed:

- In the event that the number of students who wish to attend the school exceed the school's capacity, a lottery system will be used to determine those selected to attend. In conformity with the requirements of Education Code section 47605, subdivision (d)(2)(B), admission preference will be given first to current students and students residing in the chartering district (LVUSD), then to siblings of current students and then to students who live in communities and counties served by the school.
- The Sky Mountain Charter School will be open to all K-12 students, including those with special education needs. SMCS will support the administration of special education services and participate in the "search/child find" efforts of the SELPA. The staff of SMCS will be instructed regarding purposed Special Education "search/child find" efforts and referral procedures.

The charter school shall comply with all laws establishing minimum age for public school attendance. For a maximum age limit, the school shall allow only pupils over 19 years of age to attend if they have been continuously enrolled in public school since age 18 and continue to make satisfactory progress towards a high school diploma.

### Non-Discrimination [Education Code §47605(b)(5)(G)]

The means by which the charter school will achieve a racial and ethnic balance among its students that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition was submitted will consist of public announcements of the school's program that will neither encourage nor discourage any particular

racial or ethnic group from gravitating to the charter school. SMCS will maintain information concerning the ethnicity of all SMCS students, and if the balance is not reflective of that of the sponsoring district, a committee of school parents, teachers and SMCS staff will meet to discuss the imbalance and explore available options, which may include additional outreach initiatives, to remedy the situation.

Public School Attendance Alternatives [Education Code §47605(b)(5)(L)]

Attendance at this charter school is entirely voluntary on the part of the students who enroll. Attendance at the student's district of residence public schools shall be an option for all students who do not choose to attend this charter school.

Suspension/Expulsion/Dismissal Procedures [Education Code §47605(b)(5)(J)]

Students may be suspended or expelled from the charter school for any act specified in Ed Code 48900, non-compliance with the terms of the parent-student written agreement, or any material violation of any of the conditions, standards or procedures set forth in this Charter, the school handbook or the school's policies and procedures.

The Special Education Director will be involved in the suspension/expulsion process for all identified pupils with disabilities.

Students who fail to demonstrate adequate and appropriate progress toward the student standards, as determined by the professional judgment of the certificated Education Specialist assigned to that student, will be subject to dismissal. [Education Code §47612, 5CCR§11965(b)]

Based on information regarding student behavior or performance as specified above, the Charter School will send a suspension, expulsion, or dismissal notice to the student's parent(s) or guardian(s). The parent(s) or guardian(s) of a student who has received a suspension, expulsion, or dismissal notice may request a hearing where the parent and the student shall be given an opportunity to participate and present facts relevant to the issues set forth in the notice. In the event of any such request, the school education director shall appoint a Hearing Committee composed of five (5) members of the School Council which shall conduct a hearing regarding the notice. After the hearing, the Hearing Committee shall send its recommendation to the school education director and the district liaison. The school education director and district liaison, together, will make all final decisions concerning suspension, expulsion, dismissal or reinstatement of suspended or expelled students. In the event of a student's expulsion, SMCS will notify the student's district of residence of the student's expulsion.

If a student who is not a resident of the district is expelled, the School shall notify the student and the student's parents or guardians in writing of the student's duty to attend the school district in which the parent or guardian reside. If the notice relates to any expellable act listed in Education Code 48900, the School will send a copy of the notice to the district in which the parent(s) or guardian(s) reside. When the student is a resident of the District, and is expelled by the School for any expellable act as listed in Education Code 48900, and the parents have not agreed to a stipulated expulsion, the District shall review the expulsion hearing record and file to determine whether the student was afforded due process required by law. If the School failed to

follow due process procedures, the student will either receive a new hearing by the School or be re-enrolled in the School. [Education Code §47605(d)(3)]

## **VII. Financial Planning, Reporting, and Accountability.**

### Financial Reporting

IEM shall implement and manage all financial reporting and business services for this charter school.

### Insurance

This charter school will secure and maintain insurance policies, including but not limited to general liability insurance coverage for bodily injury or property damage. Such insurance policies shall be issued by an insurance company or companies licensed to do business in the State of California. All such insurance policies shall be endorsed to state that coverage shall not be suspended, voided, canceled, or reduced, in coverage or limits, except after 30 days prior written notice to the District and CGCS.

This charter school shall secure and maintain workers compensation insurance as appropriate to cover its employees.

### Administrative Services [Education Code §47605(g)]

IEM shall provide all administrative services necessary for SMCS' efficient operations, including, but not limited to school system administration, revenue administration, vendor/purchasing administration, budgeting and forecasting, accounting services, financial management reporting, training assistance, payroll processing, personnel management, enrollment management, cumulative folders, immunization documentation, Child Health and Disability Prevention Program for 1st grade, attendance management, transcripts, reporting and required annual reports, categorical funding applications, compliance and fiscal reporting, and technical assistance and facilitation.

### Facilities [Education Code §47605(g)]

SMCS shall request a rent-free facility from the District to conduct SMCS administration, teacher training/professional development, and miscellaneous school services and storage, and agrees to pay the District 3% ADA for oversight.

### Transportation

All transportation to and from the charter school including all related school programs is the sole responsibility of the enrolled students' parents or guardians, and is not the responsibility of this charter school, unless otherwise required by a current IEP.

Audits [Education Code §47605(b)(5)(I)]

IEM will cause an annual financial and programmatic audit of the charter school to be conducted by an independent auditor, employing generally accepted accounting principles and experienced in State charter school law. Audits will be conducted according to standards applicable to governmental agencies and the State's audit guide standards applicable to charter schools. Audit reports will be completed and available for review by the school members and the public and submitted to the District Board of Trustees following the protocol established by the district for such audits. All audit exceptions and deficiencies will be resolved as determined by state law and this charter. Procedures and/or processes that caused the exceptions and/or deficiencies will be modified by IEM to meet the auditor's specifications and such modifications will be sent to the District Board of Trustees within three (3) months of the auditor's report.

As outlined in Education Code section 47604.3, the charter school and/or IEM, Inc. shall promptly respond to all reasonable inquiries, including, but not limited to, inquiries regarding its financial records, from its chartering authority or from the Superintendent of Public Instruction and shall consult with the chartering authority or the Superintendent of Public Instruction regarding any inquiries.

Closure Protocol [Education Code §47605(b)(5)(P)]

In the event SMCS closes, SMCS shall document and effect its closure by official action which shall identify the reason for the closure. SMCS shall promptly notify the District and SMCS students and parents of the official action and the effective date of the school closure. SMCS shall provide information to assist parents and students in locating suitable alternative educational programs.

As applicable and consistent with statute, SMCS will provide parents, students, and/or the District or subsequently selected school(s) with all appropriate student records and will otherwise assist students in transferring to their next school(s). All transfers of student records will be made in compliance with the Family Educational Rights and Privacy Act (FERPA) 20 U.S.C. §1232g.

As soon as reasonably practicable, IEM shall prepare final SMCS financial records and shall commission an independent audit by a qualified Certified Public Accountant paid for by SMCS to determine the disposition of all assets and liabilities of SMCS. The results of the audit shall be forwarded to the District upon completion.

Upon the school's closure, all assets of the School, including but not limited to all leaseholds, personal property, intellectual property and all accrued ADA apportionments and other revenue generated by students attending SMCS shall remain the sole property of the charter school subject to all audited and verifiable claims documented in the final audit as provided herein. In the event that charter school is dissolved, all such property shall be distributed as IEM shall determine in accordance with state statutes governing nonprofit public benefit entities, provided that in the case of closure that any funds remaining after completion of a final audit become the property of the LVUSD.

## **VIII. Impact on the Charter Authorizer** [Education Code §47605(g)]

Impact to the charter authorizer shall be minimal. Because of their extensive charter school experience, the school administrators shall provide or cause to be provided all reports and oversight documents to the district/county in the type and format requested.

### Services obtained from Charter Authorizer

Details of any business or administrative services, special education services, costs and funding between the district and SMCS shall be detailed in an appropriate MOU. In the event of changes to state law or regulations applicable to charter schools enacted subsequent to granting this Charter, which are inconsistent with but applicable to the terms of this Charter, the parties agree to amend this Charter and any applicable MOU provisions to accord with any such changes.

### Charter Term and Renewal

The term of this Charter shall be five years and may be renewed for subsequent five-year terms by the District Board of Trustees. The District Board of Trustees must act to renew or not renew this Charter no later than six (6) months prior to the date this Charter expires. A petition for renewal may be submitted no earlier than 18 months prior to expiration of the charter. The term of this renewed charter shall begin on the July 1, 2012, and if it is not renewed as provided herein, shall expire on June 30 after the end of the tenth academic year of SMCS' existence.

### Revoking The Charter

The District Board of Trustees may revoke the Charter if it finds that SMCS did any of the following:

1. Committed a material violation of any of the conditions, standards, or procedures set forth in the charter or MOU.
2. Failed to meet or pursue any of the pupil outcomes identified in the Charter.
3. Failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.
4. Violated any provision of law.

### Amendments

This Charter School Petition may be amended by a written agreement between IEM and the LVUSD Board of Trustees. Material amendments to the Charter must be presented to the LVUSD Board pursuant to Education Code section 47605.

## Appendix A

### Criteria for Renewal and State Department of Education Report

#### Criteria for Renewal

AB 1137- Ed. Code 47607

Once a charter school has been in operation for four years, a charter school shall meet at least one of the following criteria prior to receiving renewal:

- (1) Attained its Academic Performance Index (API) growth target in the prior year on in two of the last three years, or in the aggregate for the prior three years.
- (2) Ranked in deciles 4 to 10, inclusive, on the API in the prior year on in two of the last three years.
- (3) Ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years.
- (4) (A) The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.  
(B) The determination made pursuant to this paragraph shall be based upon all of the following:
  - (i) Documented and clear and convincing data.
  - (ii) Pupil achievement data from assessments including, but not limited to, the Standardized Testing and Reporting Program established by Article 4 (commencing with Section 60640) for demographically similar pupil populations in comparison schools.
  - (iii) Information submitted by the charter school. –must submit to SPI for recommendation and wait 30 days.
- (5) Has qualified as an ASAM School.

#### **Sky Mountain qualifies and has exceeded criteria 1 of ED Code 47607.**

Excerpt from Guide to 2010-11 APR System.

*The annual API growth target for a school is 5 percent of the difference between the school's API and the statewide performance target of 800 with a 5 point minimum. ...*

*There are two API reports: (1) the Base API that is released to schools in the spring and (2) the Growth API that is released in the fall. These two reports show results from two different school years.*

*The Growth API is compared to the prior year Base API to show how much a school improved from one year to the next. Schools must meet API growth targets for the whole school as well as for all "numerically significant" groups of students in the school. Each Base API and Growth API Report includes the schoolwide API and the APIs for each numerically significant group of students. The Growth API Report determines whether schools met their targets.*

As is evident from the chart below, Sky Mountain exceeded its growth target by a wide margin as a whole and in every numerically significant subgroup.

<b>Student Group</b>	<b>Numerically Significant</b>	<b>2010 Base</b>	<b>2010-11 Growth Target</b>	<b>2011 Target</b>	<b>2011 Growth API</b>
Schoolwide		740	5	745	<b>763</b>
Black or African American	No	729			
American Indian or Alaska Native	No	709			
Asian	No	811			
Filipino	No	809			
Hispanic or Latino	Yes	716	5	721	<b>734</b>
Native Hawaiian or Pacific Islander	No				
White	Yes	746	5	751	<b>767</b>
Two or More Races	No				
Socioeconomically Disadvantaged	Yes	699	5	704	<b>732</b>
English Learners	No				
Students with Disabilities	No	588			

Note on estimated API report from Multiple Measures (<http://www.multiplemeasures.com/>) - While the estimated 2011 Growth API from the Multiple Measures include a caution that the reports “are based completely on the data from files supplied by the customer.”, we are confident in this result as the calculation was performed using data downloaded from the STAR and CAHSEE testing sites. That is, the STAR data used to calculate this score is identical to the data provided to the state by Education Testing Service(ETS).

## 2010-11 Accountability Progress Reporting (APR)

[DataQuest home](#) > [Select School](#) > [School Reports](#) > [Current Page](#)



**School Report - Base API, Ranks, and Targets**  
2010 Base  
Academic Performance Index (API) Report

School: Sky Mountain Charter  
LEA: Lucerne Valley Unified  
County: San Bernardino  
CDS Code: 36-75051-0115089  
School Type: Elementary

California Department of Education  
Assessment and Accountability Division  
7/12/2011

## 2010 Base API Links:

<a href="#">School Demographic Characteristics</a>
<a href="#">School Content Area Weights</a>
<a href="#">School Dropout Data</a>
<a href="#">Similar Schools Report</a>
<a href="#">LEA List of Schools</a>
<a href="#">County List of Schools</a>

Direct Funded Charter School: Yes

(An LEA is a school district or county office of education.)

2010-11 APR		2010-11 State API			2011 Federal AYP and PI		
Summary	Glossary	Base	Guide	Growth	AYP	PI	Guide

2010 Statewide Rank: 2    2010 Similar Schools Rank: 1

	Number of Students		Numerically Significant	2010-11		
	Included in 2010 API			2010 Base	Growth Target	2011 Target
Schoolwide	935			740	5	745
Black or African American	31	No		729		
American Indian or Alaska Native	11	No		709		
Asian	31	No		811		
Filipino	15	No		809		
Hispanic or Latino	202	Yes		716	5	721
Native Hawaiian or Pacific Islander	5	No				
White	633	Yes		746	5	751
Two or More Races	5	No				
Socioeconomically Disadvantaged	163	Yes		699	5	704
English Learners	8	No				
Students with Disabilities	50	No		588		

Click on column header to view notes.

Note: 2010 Base data are reported for all subgroups with 11 or more students but only numerically significant subgroups receive growth targets. Subgroups meeting the following criteria are considered numerically significant: the group (1) contains at least 100 students with valid Standardized Testing and Reporting (STAR) Program test scores included in the API or (2) comprises at least 15 percent of the total valid STAR Program scores and contains at least 50 students with valid STAR Program scores.

"NA" means a number is not applicable or not available due to missing data.

"\*" means this API is calculated for a small school or a small local educational agency (LEA), defined as having

1/7/11

2010 Base API School Report - Sky Mountain Charter

between 11 and 99 valid STAR Program test scores included in the API. APIs based on small numbers of students are less reliable and, therefore, should be carefully interpreted. Similar schools ranks are not calculated for small schools.

"A" means the school or subgroup scored at or above the statewide performance target of 800 in 2010.

"B" means this is either an LEA or an Alternative Schools Accountability Model (ASAM) school. Rank information are not applicable to LEAs and ASAM schools. Growth and target information are not applicable to LEAs.

"C" means this is a special education school. Statewide and similar schools ranks are not applicable to special education schools.

"I" means the school has some invalid data, and the California Department of Education cannot calculate a valid similar schools rank for this school.

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Questions: Academic Accountability Team | [aaucde@cdede.ca.gov](mailto:aaucde@cdede.ca.gov) | 916-319-0863

**2011 Growth API Summary with Subgroups  
for  
Sky Mountain Charter**

**This is an ESTIMATE - Interpret with Caution**

Only CDE can publish official API scores. API estimates produced by MMARS are based completely on the data from files supplied by the customer. Official CDE scores often use additional corrected data, supplied via online edits, data review modules and appeals.

<b>Student Group</b>	<b>Is Small School</b>	<b>Is Significant</b>	<b>Students Included</b>	<b>API Score</b>
<b>All Students</b>	<b>No</b>	<b>Yes</b>	<b>1130</b>	<b>763</b>
<b>African American not Hispanic</b>		<b>No</b>	<b>28</b>	<b>***</b>
<b>American Indian or Alaska Native</b>		<b>No</b>	<b>13</b>	<b>***</b>
<b>Asian</b>		<b>No</b>	<b>34</b>	<b>***</b>
<b>Filipino</b>		<b>No</b>	<b>19</b>	<b>***</b>
<b>Hispanic or Latino</b>		<b>Yes</b>	<b>252</b>	<b>734</b>
<b>Pacific Islander</b>		<b>No</b>	<b>5</b>	<b>***</b>
<b>White not Hispanic</b>		<b>Yes</b>	<b>751</b>	<b>767</b>
<b>Two or More Races</b>		<b>No</b>	<b>25</b>	<b>***</b>
<b>Socioeconomically Disadvantaged</b>		<b>Yes</b>	<b>446</b>	<b>732</b>
<b>English Learners</b>		<b>No</b>	<b>3</b>	<b>***</b>
<b>Students with Disabilities</b>		<b>No</b>	<b>63</b>	<b>***</b>