

Amended
CHARTER
OF THE
ELEANOR ROOSEVELT COMMUNITY LEARNING CENTER
A CALIFORNIA PUBLIC CHARTER SCHOOL

A. Educational Program

Mission statement *The Eleanor Roosevelt Community Learning Center is dedicated to supporting and empowering parents and students to take an active role in designing and implementing an educational program that ignites a passion for learning and stimulates the intellectual, emotional and physical health of the child.*

The legislature of the State of California states that, “The family is our most fundamental social institution and the means by which we care for, prepare, and train our children to be productive members of our society. Social research shows increasingly that the disintegration of the family is a major cause of increased welfare enrollment, child abuse and neglect, juvenile delinquency, and criminal activity.” Education Code Section 51220.5. In keeping with these principles, the Eleanor Roosevelt Community Learning Center seeks to support parents in Tulare and contiguous counties in their roles as their child’s teacher.

An increasing number of families have decided that a home-based, family-centered style of education best suits them. Information gathered from the Tulare and Fresno County Offices of Education indicates that in the 1999-2000 school year a combined total of 528 families filed Private School Affidavits with five or fewer students listed. The majority of these affidavits represent families who are homeschooling their children independently. In addition, a large number of homeschooling families in Tulare County travel to Fresno County to access homeschool charter school programs. Other families are interested in teaching their children at home but believe they lack the necessary resources and/or expertise. This is especially true for families of limited income.

Families choose a home-centered education for their children for a wide variety of reasons. The flexibility of instructional delivery strategies can allow for remedial strategies that cannot be provided in a classroom setting. Because of this, families with children with disabilities or special needs or children that are gifted and talented often find that their children thrive in with the flexible one-on-one instruction that homeschooling allows. Other parents choose homeschooling because of a desire to nurture strong family relationships or for philosophical reasons. Some children with chronic illnesses find that learning in a home-based program allows them to overcome the limitations associated with poor school attendance. And other families embrace the opportunity to take an active role in their child’s education.

It is the intent of the Eleanor Roosevelt Community Learning Center (ERCLC) to increase the educational options available to families in Tulare County by providing a program that allows families to educate their children at home while remaining connected to a public school. This will be accomplished by utilizing a structure similar to a traditional Independent Study Program. Each family will be assigned an Education Coordinator who will meet with each student and parent on a regular basis to collaborate in creating an individualized learning program for each child. The individualized learning program will be driven by the State Standards while allowing parents the freedom to individualize instructional strategies to fit the needs of their child and their family.

Parents are designated as their child's teacher; the role of the credentialed employee of the charter school (referred to as the Education Coordinator) is to assist the parent/teacher in the creation of a personal educational plan for their child. The Education Coordinator is also the designated agent to assign time value to the student's work for the purpose of reporting attendance and for monitoring "adequate progress." For the purposes of the No Child Left Behind Act, core subjects at ERCLC are identified as Language Arts, Mathematics, Social Studies and Science. Instruction in the core subjects is the responsibility of the parent. All classes offered at ERCLC are enrichment classes and are considered supplemental.

The Education Coordinator will assist parents in assessing their child's learning both through on-going assessments such as portfolios and through participation in the state-mandated testing, (currently the SAT-9). Parents will also be provided with instructional resources such as textbooks and supplemental materials, frameworks for organization and record keeping, and workshops designed to assist parents to become more effective teachers of their children. Students will be offered enrichment classes (especially in the performing arts and sports), opportunities for socialization, and field trips.

Each student, their parent and their assigned ERCLC Education Coordinator will meet not less than once every four weeks to collaboratively set forth the goals for the evaluation period. Parents will be provided with the resources (e.g., textbooks, trade books) needed to accomplish the set goals. At the end of the four weeks (or less), the student, parent and ERCLC Education Coordinator will again meet. The parent will provide samples of the student's work as well as a summary of work that was accomplished. New goals will then be set for the following reporting period. Both parents and representatives of ERCLC have the option of meeting more often than every four weeks if needed.

Educated Person in the 21st Century

The Eleanor Roosevelt Community Learning Center recognizes that the challenges of the 21st century are more complex than those students may have faced in the past. In addition to the necessity of mastering skills of reading, writing, speaking and calculating with clarity and precision, it is essential that students have the flexibility to adapt to changing circumstances. This includes the ability to locate and access information, to

critically analyze information, to have an understanding of the political process and a sense of being part of a global community. Being an educated person in the 21st century requires one to be familiar with systems theory, to have a sense of social and environmental consciousness and strong conflict resolution skills.

It is the philosophy of the Eleanor Roosevelt Community Learning Center that students learn best when parents are actively engaged in their children's education and learning is relevant to the child. Research by Piaget and Lawrence Kohlberg support the concept that learning is at its optimum and students are encouraged to become self-motivated, competent, life-long learners when children and families are given the freedom and support needed to take responsibility for their own learning. The Eight Year Study, involving over two thousand students matched for socioeconomic variables, showed that students who were taught utilizing a student directed curriculum outscored the control group in every measure in subsequent college enrollment. It's the ERCLC's belief, supported by research, that learning expectations and activities should be geared toward each child's developmental level (Piaget). Incorporating these philosophies, the parent and child will have an important role in creating the individualized learning plan. The ERCLC's educational philosophy is that learning occurs best when:

- Parents are actively involved in and supportive of their student's learning.
- There is positive and frequent communication between the home and school.
- Guided by the State Standards, instruction is focused on the individual needs of each student.
- Instructional activities are integrated and meaningful.
- Students have an awareness of and connection with their community and the area in which they live.
- Students are encouraged to master skills to the best of their ability.
- There is a passion for learning that extends through the entire day and entire year that goes beyond the classroom, the school day, and the school year.
- Student's input, questions, and ambitions are valued.
- Instruction, as much as possible, involves real-life experiences.

In addition, students enrolled in ERCLC will have the opportunity to learn conflict resolution skills, group dynamics, and develop a sense of social consciousness.

B. Measurable Student Outcomes

Measurable student outcomes will be written in collaboration between the parent, student and Eleanor Roosevelt Community Learning Center Education Coordinator. These outcomes will be guided by the California State Standards with respect for the individual strengths of each child. Each family, with input and guidance from their ERCLC Education Coordinator, will decide how they will align their student's instruction with the State Standards. Student progress toward achieving the outcomes will be assessed no less than once during every four-week period by the student's Education Coordinator. Student progress meetings can occur more often at the discretion of either the Education Coordinator or the parent. The ERCLC best functions on the fruitful collaboration

between parents and the Education Coordinator, however, the Education Coordinator retains the responsibility as ERCLC's representative for gauging the student's educational progress.

Expectations of student progress shall include but shall not be limited to the following:

- Students that score at or above grade level on the Sat 9 (or other norm-referenced measure or performance based assessment) will demonstrate year for year growth. Students testing below grade level will demonstrate year for year growth plus two months growth.
- ~~90% of ERCLC students will show improvement on the Individual Growth Indicator (IGI) throughout each academic year.~~
90% of ERCLC students will show improvement on the designated benchmark tests in Language Arts and in Mathematics.
- Demonstration of knowledge and academic skills will be assessed by authentic performance-based assessments that may include student portfolios, journal summaries, presentations, observations or charter-teacher-student-parent evaluations.
. This will be documented by the year-end summary of progress report.

C. Methods of Measuring Student Progress

Student progress will be assessed through the following:

- State mandated testing.
- Monthly collection of student work to be added to the student's portfolio.
- Demonstration of student skills.
- Monthly summaries of completed work.
- Parent-teacher and Education Coordinator observations.
- Journal entries.
- ~~Individual Growth Indicator (IGI).~~
Designated benchmark assessments.
- Other norm-referenced tests as needed.
- Individual reading inventories.

Parents of students entering the program at the Eleanor Roosevelt Community Learning Center will be assigned an Education Coordinator. ~~At the initial meeting, the Education Coordinator will perform a pre-enrollment interview to determine if the ERCLC program is an appropriate strategy for the student seeking enrollment. If the placement is deemed appropriate, the Individual Growth Indicator (IGI) will be administered to the student and student records will be reviewed to determine student areas of strengths and weaknesses and to provide a baseline indicator from which to measure growth.~~ The Education Coordinator will review the State Standards with the parent. ~~The Education Coordinator, the parent and, when appropriate, the student, and will collaborate to write goals for the semester and will decide how often meetings will occur (no less than once every four weeks).~~

At the initial meeting the parent/teacher and the Education Coordinator will collaborate to create a personalized educational plan for the student. Within the first month of enrollment the student will complete the designated benchmark assessments that will

form a baseline for measuring growth. Thereafter, the benchmark assessments will be administered to ERCLC students at the beginning of each school year, midway through the year and at the end of the school year.

A Learning Record Form will be completed listing the objectives and activities for the evaluation period. The parent and student will return at the end of the agreed upon period and the parent will provide work samples and a summary of work completed. New goals will be written for the following reporting period. Midway through the school year the student will again be administered the ~~Individual Growth Indicator~~ *designated benchmark assessments* and progress will be evaluated based on work to date, ~~IGI results~~, *benchmark assessments* and parent and Education Coordinator observations. The state-mandated test (~~currently the SAT-9~~) will be administered to students in grades 2-8 *II* during the state mandated testing period. At the final meeting of the year, the Education Coordinator, the student and the parent will review the goals set for the student at the initial meeting. ~~The Education Coordinator, with input from the parent and the student will prepare a summary of the student's progress for the year. A written copy will be provided to the parent and a copy will be placed in the student's permanent file.~~

The Education Coordinator, with input from the parent and the student will prepare a summary of the student's progress for the year. A written copy will be provided to the parent and a copy will be placed in the student's permanent file.

Students failing to comply with the terms of the Master Agreement will be subject to an evaluation by the Eleanor Roosevelt Community Learning Center to determine whether it is in the student's best interest to remain in a home-based instruction program. Evaluation findings shall be maintained in the student's permanent record.

Students enrolled in the Eleanor Roosevelt Community Learning Center whose first language is not English will be identified through the Home Language Survey upon enrollment. Students requiring assessment based upon response to the Home Language Survey will be assessed in English to determine English proficiency and proficiency in their native language. Time lines and reporting of results will be administered according to state and federal regulations. ~~Students requiring assessment in a language other than English will be assessed with California State adopted achievement tests (SABE 2). Assessments in languages other than Spanish will be developed and administered in consultation with the parents.~~

A summary of the academic progress of the Eleanor Roosevelt Community Learning Center will be presented yearly to the Tulare County Office of Education board of directors and will be made available to the public for review at the ERCLC office during regular business hours.

D. Eleanor Roosevelt Community Learning Center Governance

The Eleanor Roosevelt Community Learning Center will be operated ~~by~~ *as* a non-profit organization pursuant to the Nonprofit Public Benefit Corporation Law. Under this law,

Tulare County Board of Education shall not be liable for debts or obligations of the Eleanor Roosevelt Community Learning Center.

The Eleanor Roosevelt Community Learning Center Board of Directors will consist of five (5) members: two community members, a member appointed by the Tulare County Board of Education, and two parents of students enrolled at the Eleanor Roosevelt Community Learning Center. *The ERCLC Board reserves the right to increase the number of board members to seven (7) during the term of this charter.*

In addition to the Eleanor Roosevelt Community Learning Center's Board of Directors, a Parent Advisory Committee will be formed to provide advice and counsel to the Board of Directors. The parent advisory committee shall be comprised of any parent of a child enrolled in the ERCLC and will meet a minimum of two times each year. The advisory committee will evaluate the ERCLC program annually. Parents will be advised of their right to participate in charter school governance in the Parent Handbook to be provided upon enrollment in the ERCLC.

The Eleanor Roosevelt Community Learning Center will be governed pursuant to the bylaws adopted by the Board of Directors, and by such amended or restated bylaws as the Board of Directors may from time to time adopt and prescribe. The Board of Directors's major roles and responsibilities will include establishing and approving all major educational and operational policies, approving all major contracts, approving the ERCLC's annual budget and overseeing the school's fiscal affairs, and selecting and evaluating the top administrative staff. All meetings will be follow procedural rules established by the Ralph M. Brown Act, California Government Code sections 54950 and following.

Special Education

The Eleanor Roosevelt Community Learning Center and Tulare County Board of Education pledge to work in cooperation with all local education agencies (LEAs) and special education local plan areas (SELPAs) to ensure that a free and appropriate education is provided to all students with exceptional needs. Students with previously identified special needs under the Individuals with Disabilities Act ("IDEA") shall not be enrolled in the Eleanor Roosevelt Community Learning Center unless or until approved by the child's IEP team and such placement is specified in a fully executed, written Individual Education Plan developed as per the IDEA and Education Code sections 56000 and following.

The Eleanor Roosevelt Community Learning Center intends to function as a "public school of Tulare County Board of Education "for purposes of providing special education and related services pursuant to Education Code Section 47641(b). In accordance with local SELPA policy, all eligible students will receive special education services in the same manner as children in other schools within the TCOE.

Facilities, Building Codes, Environmental Protection

The Eleanor Roosevelt Community Learning Center staff will be housed in such facilities within Tulare County as the Board of Directors may acquire by lease, purchase, gift, lease-purchase or by other lawful conveyance, provided that: (a) such facilities meet state and federal accessibility requirements including those of the Americans with Disabilities Act; (b) to the extent that such facilities do not meet Field Act Standards (see Education Code sections 17280 and following), the facilities were constructed or improved in compliance with state and local building codes applicable to commercial property; (c) facilities are acquired, constructed or improved in compliance with all applicable federal and state environmental protection laws, including, but not limited to, the California Environmental Quality Act; (d) the facilities have obtained Fire Marshall and structural engineer approval per part F of the Charter.

Business Services

Eleanor Roosevelt Community Learning Center will contract with the Tulare County Office of Education for business services based on an agreed upon amount with the rate to be renegotiated annually.

E. Employee Qualifications

The Eleanor Roosevelt Community Learning Center will retain or employ certificated personnel who hold a valid Commission on Teacher Credentialing certificate, credential, Authorization or permit for the purposes of providing general supervision over each student's instructional program. Copies of each certificated staff member's certification qualifications shall be filed ~~with the Eleanor Roosevelt Community Learning Center's Board of Directors and at the charter school with the Tulare County Office of Education,~~ and shall be open to public inspection.

The Eleanor Roosevelt Community Learning Center may also employ or retain non-certificated instructional support staff to teach non-core enrichment classes and programs under the general supervision of certificated staff, and such other classified staff as the Board of Directors deem necessary or convenient to the Eleanor Roosevelt Community Learning Center's programs and operations. All non-instructional staff will possess training and experience and expertise appropriate to their position as determined by the Board of Directors.

All employees or independent contractors of the Eleanor Roosevelt Community Learning Center and all volunteers having contact with students shall be required to obtain criminal background check clearance prior to entering into Eleanor Roosevelt Community Learning Center's service as Education Code section 44237 and/or 45122.1 and following. The criminal record summary shall be maintained on file with the Board of Directors and shall be open to inspection by the Tulare County Office of Education, but shall not be disclosed publicly except to the extent required by the California Public Records Act, or by a subpoena or other order of a tribunal of competent jurisdiction.

F. Health and Safety Procedures

The Eleanor Roosevelt Community Learning Center will adopt and implement a comprehensive set of health, safety and risk management policies. These policies will be in place before the Eleanor Roosevelt Community Learning Center begins operation and at a minimum will address the following topics:

- All enrolling students and staff will provide records documenting immunizations to the extent required for enrollment in non-charter public schools or a signed waiver is on file.
- Policies and procedures for response to natural disasters and emergencies, including fire, earthquakes, bomb threats and nuclear attack.
- Policies relating to suspicious or violent persons on campus.
- The location of emergency equipment, gas mains, water valves, and electricity shut-off.
- Policies relating to preventing contact with blood-borne pathogens.
- A policy stating that all instructional and administrative staff will receive training in emergency response, including appropriate “first responder” training or its equivalent.
- A policy stating that Eleanor Roosevelt Community Learning Center staff will not administer prescription drugs or other medicines unless as otherwise specified in an individual student’s IEP or section 504 Accommodation Plan.
- A policy that the Eleanor Roosevelt Community Learning Center will be housed in facilities that have received state Fire Marshal approval and that have been evaluated by a qualified structural engineer who has determined that the facilities present no substantial seismic safety hazard.
- A policy stating that the Eleanor Roosevelt Community Learning Center will function as a drug, alcohol and tobacco free workplace.
- A policy stating that each employee of the Eleanor Roosevelt Community Learning Center and all volunteers supervising students are required to submit to criminal background check and furnish a criminal record summary as required by Education Code section 44237 and/or Sections 45122.1 and following.

These policies will be incorporated as appropriate into the ERCLC student and staff handbooks and will be reviewed on an on-going basis in the ERCLC staff development efforts and Board of Directors policies.

Emergency Information

All students are required to complete an emergency card upon their enrollment at ERCLC. This form will be updated at the beginning of each subsequent semester when re-enrollment contracts are signed. In the event of an emergency, parents will be notified by the Director or a designee as soon as it is safe to do so.

All enrolling students and staff will provide records documenting immunizations to the extent required for enrollment in non-charter public schools.

Emergencies and Natural Disasters

Eleanor Roosevelt Community Learning Center will be housed in a facility that has received the approval of the state Fire Marshall and that has been evaluated by a qualified structural engineer who has determined that the facilities present no substantial seismic safety hazard.

ERCLC will establish and post in each room a map indicating the nearest exit in the event of a fire. Fire and earthquake drills will be conducted on a monthly basis. There will be at least one fire extinguisher available at all times and the staff will be instructed as to its location.

In the event of a bomb threat the buildings will be evacuated in the same manner as a fire drill and the police will be notified immediately. Parents will be notified as soon as it is safe to do so.

In the event of a nuclear attack ERCLC will remain on campus and follow instructions issued by FEMA as to the course of action.

ERCLC's Director or appointed designee will be responsible for contacting emergency services.

Suspicious or Violent Persons on Campus

All visitors to ERCLC are required to check in at the office. Persons who appear suspicious or violent will be immediately reported to the Director or their appointee who will contact law enforcement authorities.

Emergency Equipment

The location of emergency equipment, gas mains, water valves and electricity shut-off will be posted in the ERCLC office and prominently indicated in its location.

Blood Borne Pathogens

All staff providing first-aid that might include contact with blood-borne pathogens will follow Universal Infection Control precautions. All staff will receive training in emergency response, including first responder training or its equivalent.

Medications

ERCLC staff will not administer prescription drugs or other medications unless as otherwise specified in an individual student's IEP or Section 504 Accommodation Plan.

Drug and Alcohol Free Workplace

ERCLC will function as a drug, alcohol and drug-free workplace.

These policies are communicated to students, parents, and staff by inclusion in the ERCLC student and staff handbooks and will be reviewed on an on-going basis in the ERCLC staff development efforts and Board of Directors policies.

G. Means to Achieve Racial /Ethnic Balance Reflective of Tulare County

According to the Educational Demographics Unit of the California Department of Education, students enrolled in Tulare County Public Schools in the 1999-2000 school year were classified into the following categories: 60.1% Hispanic, 32.8% White (not Hispanic), 3% Asian, 2.1% African-American, 0.7% American Indian, 0.1% Pacific Islander and 0.1% Filipino.

Traditionally families that have made alternative education choices for their children have been predominately White. Minority families have been under-represented in these choices for a variety of reasons, some of which include a lack of confidence, limited resources, and limited knowledge about available alternative choices in education. The Eleanor Roosevelt Community Learning Center is committed to expanding educational alternatives for all families in Tulare County.

Eleanor Roosevelt Community Learning Center will implement a student recruitment strategy that includes, but is not necessarily limited to, the following elements or strategies to attempt to achieve a racial/ethnic balance that is reflective of the county:

- Informational recruiting meetings in communities representative of the county at-large.
- Outreach efforts to specific populations via neighborhood groups, community organizations, churches, and other leadership organizations.
- Marketing brochures and TV/radio public service advertisements targeted toward diverse populations and, if needed, in various languages.
- Staffing which includes at least one Spanish-speaking teacher.

H. Admission Requirements

The Eleanor Roosevelt Community Learning Center will actively recruit a diverse student population from Tulare County and contiguous counties who understand and value the ERCLC's mission and are committed to its instructional and operational philosophy. The ERCLC identifies the following admission requirements and policies:

- Pupils will be considered without regard to ethnicity, national origin, gender, disability or achievement level. A public random lottery will be held in the event that the number of students seeking admission exceeds the available capacity.
- File, with the Board of Directors, a written statement signed by the student and parent verifying that their enrollment in the Eleanor Roosevelt Community Learning Center and its homeschooling program are voluntary and that application for the student's enrollment is made freely, voluntarily and without any coercion or inducement whatsoever.
- The ERCLC shall be nonsectarian in its programs, admission policies, employment practices and all other operations.

- The ERCLC will not charge tuition.
- ERCLC will admit any student wishing to attend who reside in Tulare, Fresno, Kings, Kern and Inyo Counties.

In the event that the number of students wishing to enroll exceeds the school capacity, a public random drawing will be held during the ~~June~~ *May* meeting of the ERCLC board of directors for the following school year with preference given to the following:

- Pupils currently attending ERCLC.
- Children of learning staff, the ERCLC development team and/ or Board of Directors members.
- Siblings of children currently enrolled in the program.

Any vacancies occurring during the school year will be filled from a waiting list.

Prior to students and parents being admitted into the Eleanor Roosevelt Community Learning Center, they will be required to:

1. Understand the charter school's outcomes and philosophies.
2. Verify that their participation in the ERCLC program is voluntary.
3. Create an educational plan for the student's learning.
4. Sign an agreement that stipulates all of the following:
 - a) Parent's (or other designated adult's) availability and commitment to be the primary teacher of their child.
 - b) Parental (or other designated adult's) involvement in academic teaching, teaching enhancement strategies and parent support groups.
 - c) The parent (or other designated adult) will attend regularly scheduled progress meetings.
 - d) The parent (or other designated adult) will sign and promptly submit monthly attendance record to school attendance clerk.

Parent Involvement

Parents choosing to homeschool their children accept by definition their role as the primary teacher responsible for their child's education. The Eleanor Roosevelt Community Learning Center actively encourage parent input in planning, teaching and organizing the ERCLC program. Furthermore, as part of their agreement with the ERCLC, parents (or other designated adult) will:

- Participate in an orientation meeting with the staff to discuss parent responsibility and to determine goals and objectives for individual students.
- Teach their children in all subject areas, keep a record of studies and a file of student work.
- Schedule appointments with the charter teacher and student at least once every one to four weeks, bringing a record of activities and samples of work for each student.
- Keep current of events and activities offered by ERCLC.

I. Financial Audits

The Eleanor Roosevelt Community Learning Center's financial audit will be performed on a separate fee basis by an audit firm selected by the Tulare County Office of Education. The audit will verify the accuracy of the ERCLC's financial statements, attendance and enrollment accounting practices, and review ERCLC's internal controls. The audit will be conducted in accordance with generally accepted accounting principles applicable to the ERCLC. To the extent required under applicable federal law, the audit scope will be expanded to include items and processes specified in any applicable Office of Management and Budget Circulars. The ERCLC's audit committee will review any audit exceptions or deficiencies and report to the ERCLC's Board of Directors with recommendations on how to resolve them. The board will report to the Tulare County Board of Education regarding how the exceptions and deficiencies have been or will be resolved. Any disputes regarding the resolution of audit exceptions and deficiencies will be referred to the dispute process contained in the following section, "Resolution of Deficiencies."

Resolution of Deficiencies

The Eleanor Roosevelt Community Learning Center will compile and provide to the Tulare County Board of Education an annual performance report. This report will, at a minimum, include the following data:

- Summary data showing student progress toward the goals and outcomes specified in Student Outcomes from assessment instruments and techniques listed in Measurement of Student Progress.
- An analysis of whether student performance is meeting the goals specified in Measurement of Student Progress.
- A summary of major decisions and policies established by the ERCLC's Board of Directors during the year.
- Data on the level of parent involvement in the school's governance and summary data from an annual parent and student satisfaction survey.
- Data regarding the number of staff working at the ERCLC and their qualifications.
- A copy of the ERCLC health and safety policies and/or a summary of any major changes to these policies during the year.
- An overview of the ERCLC admission practices during the year and data regarding the number of students enrolled, the number on waiting lists, and the numbers of students expelled and/or suspended.
- Analyses of the effectiveness of the ERCLC internal and external dispute mechanisms and data on the number and resolution of disputes and complaints.
- Other information regarding the educational program and the administrative, legal, governance operations of ERCLC relative to compliance with the terms of the charter generally.

The Eleanor Roosevelt Community Learning Center and Tulare County Board of Education will jointly develop the content, evaluation criteria timelines and process for the annual performance reports.

The Eleanor Roosevelt Community Learning Center and Tulare County Board of Education will also jointly develop an annual site visitation process and protocol to enable the Tulare County Board of Education to gather information needed to confirm the ERCLC's performance and compliance with the terms of this charter.

J. Student Suspension and Expulsion

Students of the Eleanor Roosevelt Community Learning Center may be suspended or expelled from the ERCLC for persistent non-compliance with the terms of the charter and the parent agreement as described in detail by ERCLC board policy or for cause specified at Education Code sections 48900, and following. Procedures for suspension and expulsion shall conform to the provisions of the Education Code sections 48900-48926. In the case of a previously identified student with exceptional needs who is recommended for expulsion or a suspension exceeding ten (10) consecutive school days, the pre-removal assessment and manifestation determination procedures of the IDEA as specified at 20 United States Code section 1415 shall be invoked prior to completion of the Education Code procedures, except as provided at subdivision (k) Of Section 1415.

The ERCLC Director shall have the responsibility for discipline and the suspension of students not exceeding ten (10) days. The ERCLC Board of Directors shall be responsible for expulsion proceedings. Students expelled or suspended for more than ten (10) days shall be provided with continuing education programs in accordance with Education Code section 48916.1 (excepting students subject to Section 48915.2(a)). In the case of a student with previously identified exceptional needs, an IEP team determined alternative placement as per Section 300.522 of Part 300 of Title 34 of the Code of Federal Regulations shall be made available.

K. Retirement System

Certificated staff at the Eleanor Roosevelt Community Eleanor Roosevelt Community Learning Center will participate in the State Teachers' Retirement System. All other staff of the ERCLC will participate in the Federal social security system or Public Employee Retirement System.

L. School Attendance Alternatives

Students who opt not to enroll in the Eleanor Roosevelt Community Learning Center may attend:

- The nearest traditional district public school.
- Other public schools through intra-district transfer.
- Other public schools through inter-district transfer.

These alternatives shall be in accordance with existing enrollment and transfer policies of their district or county of residence.

M. Description of Employee Rights

Under no circumstances shall employees of the Tulare County Office of Education be deemed employees of the Eleanor Roosevelt Community Learning Center for any purpose. Eleanor Roosevelt Community Learning Center's certificated and classified employees shall be exempt from all statutes and regulation regulating tenure, civil service or merit systems. Except to the extent that Eleanor Roosevelt Community Learning Center may enter into a collective bargaining agreement with a PERB certified exclusive representative addressing discipline and dismissal, all Eleanor Roosevelt Community Learning Center personnel shall serve at the pleasure of the Board of Directors. Notwithstanding the foregoing, any permanent employee of the Tulare County Office of Education who leaves its service to work for Eleanor Roosevelt Community Learning Center shall have the right to return to the County Office's service without loss of his or her previously acquired permanent status or seniority.

N. Dispute Resolution Process, Oversight, Reporting and Renewal

Intent

The intent of this dispute resolution process is to (1) resolve disputes within the Eleanor Roosevelt Community Learning Center pursuant to ERCLC policies, (2) minimize the oversight burden on the Tulare County Board of Education, (3) ensure a fair and timely resolution to disputes, and (4) frame an ERCLC oversight and renewal process and timeline so as to avoid disputes regarding oversight and renewal matters.

Public Comments

The staff and Board of Directors of ERCLC and the Tulare County Board of Education agree to attempt to resolve all disputes regarding this charter pursuant to the terms of this section. Both shall refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process.

Disputes Arising from within the Eleanor Roosevelt Community Learning Center

Disputes arising from within the Eleanor Roosevelt Community Learning Center, including all disputes among and between students, staff, parents, volunteers, advisors, partner organizations, and Board of Directors of the ERCLC shall be resolved pursuant to policies and processes developed by the ERCLC Board of Directors.

Except where the Tulare County Office of Education has on the basis of existing facts and circumstances reasonable cause to believe that a material violation of this Charter or of applicable law has occurred, the County Office shall have no jurisdiction pertaining to such internal disputes within Eleanor Roosevelt Community Learning Center. In all cases, the County Office shall refer any such dispute as may be brought to its attention to the Board of Directors for action in the first instance. Provided that the stakeholders first exhaust their internal remedies before the Board of Directors, the Tulare County Office of Education may review the final decision of the Board at the request of a stakeholder where the County Office finds reasonable cause to believe a material violation of this

Charter or of applicable law has occurred. In all other cases, the Board of Director's decision shall be final and binding.

Disputes between the Eleanor Roosevelt Community Learning Center and Tulare County Office of Education

In the event that the Eleanor Roosevelt Community Learning Center or Tulare County Office of Education have disputes regarding the terms of this charter or any other issue regarding the ERCLC and TCOE's relationship, both parties agree to follow the process outlined below.

In the event of a dispute between the Eleanor Roosevelt Community Learning Center and Tulare County Office of Education, the staff and Board of Directors members of the ERCLC and the TCOE agree to first frame the issue in written format and refer the issue to the county superintendent and director of the ERCLC Center. In the event that TCOE believes that the dispute relates to an issue that could lead to revocation of the charter, this shall be specifically noted in the written dispute statement.

The director and superintendent shall informally meet and confer in a timely fashion to attempt to resolve the dispute. In the event that this informal meeting fails to resolve the dispute, both parties shall identify two Board of Directors members from their respective boards who shall jointly meet with the superintendent of the TCOE and director of the ERCLC and attempt to resolve the dispute. If this joint meeting fails to resolve the dispute, the superintendent and director shall meet to jointly identify a neutral, third party mediator. The format of the mediation session shall be developed jointly by the superintendent and director, and shall incorporate informal rules of evidence and procedure unless both parties agree otherwise. The findings or recommendations of the arbitrator shall be non-binding, unless the Board of Directors of the ERCLC and TCOE agree to bind themselves.

Oversight, Reporting, Revocation, and Renewal

The Tulare County Office of Education may inspect or observe any part of the Eleanor Roosevelt Community Learning Center at any time. Inspection, observation, monitoring, and oversight activities may not be assigned or subcontracted to a third party by the TCOE without the mutual consent of the Board of Directors of the ERCLC.

If the County Board of Education believes it has cause to revoke this charter, the County Board shall notify the Board of Directors of the ERCLC in writing, noting the specific reasons for which the charter may be revoked, and grant the ERCLC reasonable time to respond to the notice and take corrective action.

The TCOE agrees to receive and review the annual fiscal and programmatic audit and annual performance report as specified in the section of this charter related to financial and programmatic audit. Within two months of the receipt of this annual review, TCOE must notify the Board of Directors of the Eleanor Roosevelt Community Learning Center

as to whether it considers the ERCLC to be making satisfactory progress relative to the goals specified in this charter. The annual notification will include specific reasons for TCOE's conclusions. If, in its review of the ERCLC's annual report, TCOE determines that the ERCLC is making satisfactory progress toward its goals, the Board of Directors of the ERCLC may request from the TCOE's Board of Directors a renewal or amendment of the charter at any time prior to expiration. The ERCLC should present renewal requests no later than 120 days prior to the expiration of the charter. The TCOE's Board of Directors agrees to hear and render a renewal decision pursuant to the initial charter petition review timelines and processes as specified in the Education Code Section 47605.

O. Educational Relations Act

The Eleanor Roosevelt Community Learning Center shall be deemed the exclusive public school employer of the employees of this charter school for the purposes of the Education Employment Relations Act.

P. Term

The term of this charter shall begin on the first day of instruction and expire five years hereafter. *The term of this renewal shall begin on May 2006 and shall expire five years hereafter.*

Q. Amendments

Any amendments to this charter shall be made by the mutual agreement of the Board of Directors of the Eleanor Roosevelt Community Learning Center and Tulare County Board of Education. Material revisions and amendments shall be made pursuant to the standards, criteria, and timelines in Education Code Section 47605.

R. Severability

The terms of this charter contract are severable. In the event that any of the provisions are determined to be unenforceable or invalid for any reason, the remainder of the charter shall remain in effect, unless mutually agreed otherwise by the Tulare County Board of Education and Board of Directors of the Eleanor Roosevelt Community Learning Center. The TCOE and the ERCLC agree to meet to discuss and resolve any differences relating to invalidated provisions in a timely, good faith fashion.

S. Charter School Closure Policy

Documentation of Closure Action

The decision to close the charter school will be documented by an official action of the governing board of the charter school. The action will identify the reason for the school's closure, whether the charter was revoked, not renewed or closed voluntarily and the effective date of the closure.

If it is feasible to do so while still maintaining a viable and appropriate educational program, charter school closure will occur at the end of an academic year. Mid-year school closure will be avoided if possible, and the charter school and charter authorizer will work together to ensure that an appropriate, viable and legally compliant education program continues until the end of the school year.

Notification to the California Department of Education and County Office of Education

The governing board of the Tulare County Office of Education will send a notice of the school closure to the Charter Schools Unit at the CDE. After receiving the notification of closure, CDE will notify ERCLC and TCOE if it is aware of any liabilities that the charter school owes the state, such as overpayment of apportionments, unpaid revolving fund loans, grants, etc. The CDE will contact TCOE or independently contract for an audit of the charter school if it has reason to believe that the school received state funding for which it was not eligible.

Notification to Parents and Students

Parents and students of the charter school will be notified as soon as possible when it appears that school closure will be imminent. The notification will include information on assistance in transferring the student to another appropriate school and a process for the transfer of all student records.

Parents will be provided with a certified packet of student information that will include the closure notice, grade reports, discipline records, immunization records, etc. to facilitate transfer to another school. For high school students, the information will include specific information on completed courses and credits that meet graduation requirements and college entrance requirements.

Notification to Receiving Districts

The charter school or TCOE will notify any school district that will be responsible for providing education services to the former students of the charter school so that the receiving district(s) can assist in facilitating student transfers.

Student and School Records Retention and Transfer

The charter school and TCOE will establish a process for the transfer of student records to the students' district of enrollment eligibility or other school to which the student will transfer. The charter school and/or TCOE will assist parents in the transfer of the students to other appropriate schools and facilitate the transfer of all student records. TCOE and the charter school will agree to a plan for the maintenance and transfer of student records which will allow TCOE to accept charter school records in the event the charter school is unable to meet this responsibility. The plan will include provisions for TCOE to maintain all school records, including financial and attendance records, for a reasonable period after the school closure.

Financial Close-Out

The charter school and/or TCOE will have an independent audit of the charter school completed within 6 months after the closure of the school. This will coincide with the regular required annual audit of the school. The purpose of the audit is to determine the net assets or net liabilities of the charter school. The assessment will include an accounting of all charter school assets, including cash and accounts receivable and an inventory of property, equipment and supplies. It will also include an accounting of the school's liabilities including any accounts receivable, which may include reduction in apportionments as a result of audit findings or other investigations, loans and unpaid staff compensation. The audit will also assess the disposition of any restricted funds received by or due to the charter school. The cost of the audit will be considered a liability of the charter school.

In addition to a final audit, the charter school will also submit any required year-end financial reports to the CDE and TCOE in the form and time frame required. These reports will be submitted as soon as possible after the closure action, but no later than the required deadline for reporting for the fiscal year. If the charter school chooses to submit this information before the forms and software are available for the fiscal year, they can work with CDE on alternate forms.

Dissolution of Assets

Upon completion of the closeout audit TCOE and the charter school will develop a plan for the repayment of any liabilities, or the disbursement of any remaining assets of the charter school.

To the extent feasible, any assets of the charter school will be liquidated to pay off any outstanding liabilities. To the extent possible, any remaining restricted assets, such as grant funds and restricted categorical funds, will be returned to their source. Net assets of the charter school will be transferred to TCOE. However, based on the corporation's bylaws or an agreement between TCOE and the charter school, the net assets will be transferred to another public agency.

High School Charter Amendment

B. Measurable Student Outcomes

ERCLC graduation requirements will be set by the ERCLC board of directors. ~~and will follow the recommended course of study as defined by the California Frameworks; the minimum requirements will be guided by the requirements set forth in the Education Code; ERCLC will offer classes or provide other means to allow students to meet CSU and UC entrance requirements.~~ Students will comply with all state-mandated testing. Students unable to fulfill graduation requirements will be granted a certificate of completion in lieu of a high school diploma.

Students will select classes from the Course Description Handbook. The handbook will describe the goals of the course; students will work with their Education Coordinator to design a course of study that will fulfill the requirements to receive credit for the course.

The means of fulfilling the course requirements may include:

1. Regular attendance in a designated class at ERCLC.
2. Independent study.
3. Practical demonstration of skills.
4. Supervised work experience or other outside school experience.
5. Career technical education classes offered in high schools.
6. Courses offered by regional occupational centers or programs.
7. Interdisciplinary study.
8. Credit earned at a postsecondary institution.
9. Other methods approved by the ERCLC Board of Directors.

Student work will be assigned credit value by the Education Coordinator based on the time value and quality of the work submitted. Variable credits may be earned.

C. Methods of Measuring Student Progress

Students in grades 9-12 will be assessed utilizing the methods described in Section C of the ERCLC charter. In addition, the Director will meet with each student in their ninth grade year or upon enrollment in ERCLC (if later than ninth grade) to discuss post high school options. A program plan will be created and a copy of the plan will be provided to the student and his/her parents and a copy will be placed in each student's curriculum folder. The Education Coordinator will assist students in program planning to achieve the outcome goals identified in the program plan. The Director will meet with each student in the beginning of his/her junior year to evaluate the plan.