

# Yu Ming Charter School Charter Petition Appendix Table of Contents

Appendix Table of Contents.....	A-1
Appendix I-a: Biographies of the Founding Group .....	A-2
Appendix I-b: The Need.....	A-4
Appendix II: Inventory of Chinese Immersion Programs Across the U.S. ....	A-6
Appendix II-a: Benefits of Second Language Imersion .....	A-7
Appendix II-b: Draft School Year Calendar and Schedule.....	A-9
Appendix II-d: Draft Strands, Goals and Activities in Mandarin Language Arts .....	A-10
Appendix II-e: Draft Scope and Sequence of Topics in Mathematics.....	A-14
Appendix II-f: Draft ELA Non-Transferable Standards – K-2.....	A-24
Appendix II-g: Draft Assessment Calendar for Grades K-5.....	A-28
Appendix II-h: Draft Code of Conduct and Behavior Plan .....	A-29
Appendix II-i: Letter to the El Dorado County Office of Education SELPA.....	A-30
Appendix II-j: Section 504 Policy and Procedures .....	A-31
Appendix II-k: Student Study Team (SST) Approach.....	A-37
Appendix III-a: Draft Standards-based Report Card. ....	A-38
Appendix IV-a: Articles of Incorporation.....	A-40
Appendix IV-b: Draft Bylaws .....	A-43
Appendix IV-c: Conflict of Interest Code.....	A-57
Appendix IV-d: Yu Ming Charter School Advisory Board .....	A-60
Appendix IV-e: Draft Three-Way Contract .....	A-63
Appendix IV-f: Uniform Complaint Policy and Procedures .....	A-65
Appendix V-a: Description of the Principal Search Process .....	A-80
Appendix V-b: Draft Employee Handbook .....	A-81
Appendix V-c: Comprehensive School Safety Plan.....	A-113
Appendix VI-a: Anti-Discrimination/Anti-Harassment.....	A-136
Appendix VI-b: Sample Recruiting Collateral.....	A-139
Appendix VI-c: Suspension and Expulsion Policy and Procedures.....	A-143
Appendix VII-a: 5-Year Profit/Loss Projection .....	A-154
Appendix VII-b: Cash Flow Projection.....	A-158

## Appendix I-a: Biographies of the Founding Group

**David Cherry, MD** is the medical director at Thunder Road Adolescent Treatment Center in Oakland, a residential program for teens with substance abuse and mental health problems. Dr. Cherry is also in private practice in psychiatry in Berkeley. He completed his undergraduate degree at Cornell University, completed medical training at Cornell Medical College, and completed his post-graduate training in psychiatry at UCSF. Dr. Cherry brings his training and experience in child and adolescent development to the table as Yu Ming strives to foster balanced, self-aware children. As medical director, Dr. Cherry has been instrumental in the development of electronic records and brings this and other IT and database skills to support the school's website and communications. Dr. Cherry is the father of a 5 year old girl and 2 ½ year old boy who both attend a Mandarin immersion preschool in Berkeley. Dr. Cherry has traveled throughout China, both independently and with his wife and daughter.

**Jeremiah Iglesias\*** is a part-time respiratory therapist in the East Bay and full-time dad. He was a former small business owner of a nursing care facility in southern California. His prior experience in creating and operating his own business will help with the startup process.

**Dr. Michael Jugo** received his medical degree from the University of Wisconsin School of Medicine and Public Health and is currently an attending physician at the Alta Bates Medical Center in Berkeley and Summit Medical Center in Oakland. His prior educational experiences include undergraduate majors in economics and biochemistry as well as a master's degree in political science from UC Berkeley. Dr. Jugo spent a year as an English and economics teacher in northeast China. This unique experience afforded him the opportunity to intimately experience Chinese culture and educational philosophy as well as develop a keen respect for the teaching profession. In addition, he has spent considerable time abroad including service as a rural physician in the jungles of Ecuador learning Spanish and as a U.S. Army emergency physician in western Iraq. He has passionately taken to learning Mandarin and understands the challenges inherent in learning it as an adult. He has completed intensive language studies in Taiwan and now with his wife raising their two children in a Mandarin-speaking household. While traveling the country visiting Mandarin immersion programs, Dr. Jugo conceived the idea to bring public Mandarin immersion to the East Bay so his children could learn the language in the most efficient, effective manner.

**Gloria Lee\*** is a Partner/Entrepreneur-in-Residence at New Schools Venture Fund, where she is building a not-for-profit organization that provides multi-media resources about and for inspiring teachers, a venture backed by the Bill and Melinda Gates Foundation. Previously, Ms. Lee was Bay Area Superintendent for Aspire Public Schools, a leading charter management organization. Under her leadership, Aspire's Bay Area schools grew by an average of 66 points on the state's Academic Performance Index (4.5x the state targets for growth), received average parent satisfaction ratings of 90%, and increased enrollment by nearly 40% to over 2700 students – making Aspire's Bay Area region larger than 60% of the districts in California. Prior to becoming Superintendent, Ms. Lee served as the Founding Chief Operating Officer of Aspire for the organization's first eight years, crafting key elements of Aspire's growth and business strategy, and developing the systems and processes to expand Aspire successfully to 17 schools. Prior to joining Aspire, Gloria was a consultant for McKinsey and Company. She received her BS in Applied Economics at Cornell University, and both an MBA and MA in Education at Stanford University. Despite years of attending Sunday Chinese School as a child, her Mandarin language ability is far below basic, and she is hopeful that her two children will become fluent through the more effective path of early immersion.

**Matthew Sade** is an accomplished general manager and marketer with eighteen years experience in top-tier companies, including Starbucks Coffee Company, The Clorox Company, Emperative Marketing/Procter & Gamble, and Aidells Sausage Company. Matthew's forte has been his ability to build economic value in

businesses through the creation and growth of consumer products and brands, whether in a Fortune 500 organization or his own angel-backed enterprise. Matthew is an advisor to Equator Coffee Company and volunteer with Pacific Community Ventures, a non-profit dedicated to generating employment opportunities for low and moderate income communities in California. He is a past author of Zagat New York City Restaurants, 6-time Dipsea Race survivor, and former off-ice official for the National Hockey League (NHL). Matthew holds a B.A from Tulane University and received his M.B.A. from Cornell's Johnson Graduate School of Management. He lives with his wife and two children in Oakland, California, and is raising his children in a bilingual (Mandarin / English) home environment.

**Wynee Yang Sade\*** is a business woman with fifteen years experience in sales and marketing. She has held numerous management positions at Procter & Gamble, Charles Schwab and The Clorox Company. In each role, she has helped to build brands and launch consumer products and services that make a positive difference in people's lives. Today, she is the Global Category Director at Clorox International where she leads the development of sales strategies for the company's \$500m Home Care businesses. Ms. Sade earned a B.S. from Cornell University and an M.B.A. from Harvard University. She currently resides in Alameda County, CA with her husband, Matthew and her two children, Isabel (5) and Harrison (3).

**Chrissy Schwinn\*** is marketing, communications, and management professional with over 20 years experience in corporations and non-profit organizations. She currently is Assistant Director for the Global Marine Initiative at The Nature Conservancy, where she oversees operations, finances and strategic planning for the marine conservation unit of one of the world's largest environmental organizations. Previously, Ms. Schwinn led marketing and communications for the Conservancy's international policy and climate change initiatives, across the US and internationally. She started with The Nature Conservancy in 2001 as a consultant for its Yunnan Great Rivers Project in the People's Republic of China, where she conducted marketing and business planning for community-based ecotourism projects. She has basic competency in Mandarin Chinese, which she studied as an adult after first visiting China in 1996. She has also led website development and marketing initiatives for an eco-travel web site, and was Vice President at a strategic marketing consultancy with Fortune 500 and venture-funded clients in hi-tech and telecommunications. Ms. Schwinn has a Bachelor's Degree in Psychology from Cornell University and has travelled to over 30 countries. Her two children are currently enrolled in a Mandarin immersion pre-school and she is passionate about the importance of early childhood language acquisition.

**Dr. Melissa Tom\*** received her medical doctorate from the University of Illinois-Chicago and is currently an attending physician at the Alta Bates Medical Center in Berkeley and Summit Medical Center in Oakland. As an undergraduate at Northwestern University, she studied language acquisition and speech development earning a bachelors of science in Communication Sciences. She has spent time living abroad in Taiwan and Ecuador, which helped her to develop fluency in Spanish and Mandarin. A product of eight years of Sunday Chinese schools, she is passionate about nurturing bilingualism naturally through early immersion education. She and her husband are raising their 5-year old daughter and 2-year old son in a Mandarin-speaking household supplemented with English reading time.

**Danita Tom** is an American-born Chinese to immigrant parents from Taiwan and China. She studied Mandarin language while in college and during a summer session at National Taiwan Normal University. Through her difficult experience in learning Mandarin as a second language as an adult, she is greatly interested in early exposure to Mandarin and immersion education for her children. She has a bachelor's degree in Industrial Engineering and experience in management consulting in finance and marketing. She earned her medical degree from University of Wisconsin Medical School, and she is currently an ophthalmologist at Kaiser Permanente.

*\*Signifies member of Board of Directors*

## Appendix I-b: The Need

### *The Need for a High Quality, Public Chinese Language Immersion School in the East Bay*

The international media has recognized the ascendancy of China as a world political and economic power, and the U.S. Department of Education and the Department of Defense have identified the critical need for acquisition of world languages such as Mandarin to remain competitive in the new global economy. The concern within the halls of government is so acute that in 2006 the Bush Administration created the National Security Language Initiative (NSLI). Under this plan, the Secretaries of State, Education, Defense, and Director of National Intelligence have developed a comprehensive national plan to expand U.S. foreign language education, to include Mandarin language education, beginning in early childhood and continuing throughout formal schooling and into the workforce<sup>1</sup>.

The East Bay<sup>2</sup> is a region with a particularly strong economic and cultural connection to Asia, and thus is in a unique position to lead the U.S. in strengthening its relationship with China. The Port of Oakland is a major shipping hub for goods being imported from or exported to China. Major local businesses such as AMAX Information Technologies, ArcSoft, EBSuite, Vantec, and Clorox all have a strong corporate or manufacturing presence in China. Continued development of these cultural and economic exchanges require a workforce aware of the subtleties of Chinese culture and fluent in the use of Mandarin Chinese.

Immersion education has been growing substantially throughout the United States. Today there are over 250 different immersion programs, some using Mandarin as the language of choice<sup>3</sup>. The greater San Francisco Bay Area has a host of private and public Mandarin immersion options<sup>4</sup>, yet the East Bay is limited to only one district specific public school option<sup>5</sup>. A brief review of the history of attempts to create Mandarin immersion educational opportunities reveals a predominance of private school options, most of which are Montessori based. A market analysis conducted by the founding families reveals a substantial and unmet demand for a public Mandarin immersion program in the East Bay<sup>6</sup>. Local demand for elementary Mandarin language programs is further substantiated by the presence of dozens of weekend and after-school Mandarin immersion schools dedicated to teaching the language outside of the traditional educational classroom schedule<sup>7</sup>. These programs meet once a week or for limited periods after school and do not provide the contact hours needed to achieve a professional level of language proficiency.

Those interested in Mandarin immersion are not confined to any particular racial or ethnic heritage. When Mandarin was first offered in Chicago public schools in 1999, about 250 students enrolled. Today, nearly 6,000 public school students, out of roughly 421,000, study Mandarin the majority African-American or Hispanic. Recent enrollment trends seen within the Chinese American International School (CAIS) in San Francisco reveal that the percentage of non-Asian students enrolling in the school outnumbers that of Asians<sup>8</sup>. To further the creation of a world class Mandarin immersion elementary and middle school indeed is to support the educational aspirations of all Alameda county students, no matter their ethnic heritage.

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<sup>1</sup> U.S. Department of State Fact Sheet, *National Security Language Initiative*, Washington, DC, 5 January 2006.

<sup>2</sup> Alameda and Contra Costa Counties

<sup>3</sup> Center for Applied Linguistics. (2006). *Directory of foreign language immersion programs in U.S. schools*. Retrieved 4/22/10 from <http://www.cal.org/resources/immersion/Doc/GrowthofTotalandPartialImmersionProgramsinUS.pdf>

<sup>4</sup> <http://miparentscouncil.org/schools/>

<sup>5</sup> [http://husd.k12.ca.us/index.php?id=172&option=com\\_content&task=view](http://husd.k12.ca.us/index.php?id=172&option=com_content&task=view)

<sup>6</sup> Over 80% of survey respondents from across the East Bay cited they would be interested in enrolling their children in a K-8 Mandarin immersion public school if it were made available. Survey respondents reveal that within 50% of their home environments there is no Mandarin Chinese spoken regularly.

<sup>7</sup> <http://fccncalif.org/schools.htm>

<sup>8</sup> Degen, Natasha. "Non-Asians Show a Growing Interest in Chinese Courses." *New York Times* 29 November 2006. <http://www.nytimes.com/2006/11/29/education/29mandarin.html>.

Yu Ming Charter School will satisfy this essential need through the creation of a world class public option available to all, regardless of ability to pay. Located in the heart of the East Bay, our institution will have access to a wealth of extant cultural and linguistic resources provided by the surrounding Chinese community which will facilitate the opportunity to establish a two-way dual immersion where students help each other to establish their bilingualism. Two-way dual immersion has been shown to be an extremely effective method of achieving high levels of language proficiency, critical thinking and problem solving skills.

The children of today will work in a world that is ever increasingly global, multilingual, multicultural and digitally-interconnected. To ensure that our children will remain competitive and productive in or global society, we must advance their educational opportunities and nurture our children to become innovative global citizens.

## Appendix II: Inventory of Chinese Immersion Programs Across the U.S.

As part of the research for determining the feasibility of and developing the education design for Yu Ming Charter School, members of the founding group visited Chinese Immersion programs across the U.S. Key takeaways included:

*Foreign language (One-Way) immersion is a widely used model:* Nearly all of the programs visited are one-way immersion programs with a majority of native English speaking students. Two notable exceptions are located in the Bay Area (Cupertino and San Francisco), which have two-way programs that have achieved a 50/50 population, and which suggest that the demographics of the East Bay can also support a two-way dual language immersion model.

*Large population districts are common:* Most of the programs visited serve a city or county school district. The East Bay region is comparable in population size and the amount of travel time to those served by other Chinese immersion programs. The experience of the Chinese immersion schools that were visited, as well as enrollment patterns of some local programmatically focused charter schools, demonstrates that students will travel up to 1 hour each way to go to a school that offers a program they want.

*Chinese immersion programs are sustainable and successful:* Many of the programs visited have been in existence more than 12 years and they are thriving. All of the Chinese immersion programs visited report achieving academic performance at or above the levels of their peers, and high levels of proficiency in Chinese and English. Nearly all of the programs all have long waiting lists. One indication of the high demand for access to Chinese immersion programs was the lawsuit initiated by parents in Montgomery County, Maryland, who sued their local school district to gain access to the Potomac Elementary Chinese immersion program for all the children in the county. The district responded by establishing a second program in the district.

### *Chinese Immersion Schools Visited:*

- Yinghua Charter School, Minneapolis, MN (the longest running Mandarin immersion charter school in the nation)
- XinXing Academy, Hopkins, MN (a public immersion program w/in the Hopkins school district)
- Scenic Heights and Excelsior Elementary (two immersion programs within the Minnetonka, MN public school district)
- Woodstock Elementary and Hosford Middle, Portland, OR (Portland district immersion programs)
- Beacon Hill International School, Seattle, WA (a new Mandarin immersion public school created as a transformation of a failing elementary school)
- The International School, Portland, OR (private k-5 Mandarin immersion option)
- Intercultural Montessori Language School of Oak Park, IL and Chicago, IL (Montessori)
- Cupertino Language Immersion Program, Cupertino, CA
- Ohlone Elementary Mandarin immersion program, Palo Alto, CA
- The International School of the Peninsula, Palo Alto, CA
- College Park Mandarin immersion program, San Mateo, CA
- Chinese American International School, San Francisco, CA
- Premier International Language Academy, San Jose, CA
- Pacific Rim International School, Emeryville, CA
- Global Montessori International School, Berkeley, CA
- Lincoln Elementary School, Oakland, CA
- Barnard Elementary School, San Diego, CA

## Appendix II-a: Benefits of Second Language Immersion

The benefits of second language immersion have been widely recognized by leaders in education such as the Partnership for 21<sup>st</sup> Century Skills, the Joint National Committee of Languages and the National Council for Languages and International Studies, and the Center for Applied Linguistics. Second language immersion is a well-researched educational program in which the school curriculum is taught through the medium of a second language<sup>9</sup>. A two-way bilingual immersion program is composed of a class where ideally 50% of the students are native speakers of the second language and 50% of the students are native English speakers. The benefits of immersion elementary education can be seen on a number of levels including academic, linguistic, cognitive and societal.

Contrary to initial concerns about the possible detriment to English language development, children in language immersion programs reach higher levels of language proficiency than those in other types of world language programs while also demonstrating increased English vocabulary and better understanding of the symbolic representation of print which facilitates decoding abilities and reading skills<sup>10</sup>. Several investigators have looked at the achievement of students in two-way bilingual immersion programs to find that English language learners performed on par with native English speakers educated in English-only classrooms<sup>11</sup>. In turn, the presence of native speakers in the classroom helps second language learners acquire vocabulary and syntax while the native speakers benefit from gaining metalinguistic awareness as they naturally teach the second language learners<sup>12</sup>. Immersion students perform as well or better than their monolingual English speaking peers on tests of subject-content mastery in mathematics, science, and social studies<sup>13</sup>.

Context-based language learning gives children in language immersion programs the time-on-task needed to acquire language skills. The Defense Language Institute in Monterey, CA has found that to reach intermediate/low to intermediate/mid levels of second language proficiency, adult learners need 520 hours of instructional hours. The average high school student receives approximately 150 hours of language instruction per year. Perhaps even more importantly, immersion students are engaged in meaningful, motivating, purposeful tasks that allow them to use the second language to communicate with others in a practical context<sup>14</sup>. Students have immediate motivation to want to understand what is being said and to make themselves understood.

Research is clear that exposing children to a second language at an early age stimulates the development of critical thinking and problem solving skills<sup>15</sup>. Students who are competent in more than one language consistently outscore monolinguals on tests of verbal and nonverbal intelligence suggesting that immersion students have greater cognitive flexibility<sup>16</sup>. Furthermore, studies have shown there are specific benefits to students learning a second language including<sup>17</sup>:

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<sup>9</sup> Center for Applied Linguistics, <http://www.carla.umn.edu/immersion/bibliographies/one-way.html>

<sup>10</sup> Bialystok, E. 1997. "Effects of Bilingualism and Biliteracy on Children's Emergent Concepts of Print." *Developmental Psychology* 30 (3): 429-440

<sup>11</sup> Lindholm-Leary, 2004. "The Rich Promise of Two-Way Immersion," *Educational Leadership*: 56-59.

<sup>12</sup> Howard, E. R., Sugarman, J., & Christian, D. (2003). *Trends in Two-Way Immersion Education: A Review of the Research* (Report No. 63). Baltimore, MD: Center for Research on the Education of Students Placed At Risk.

<sup>13</sup> Curtain, H & Dahlberg, CA. *Languages and children: Making the match*, 2004.

<sup>14</sup> Met, Myriam. "Foreign Language." *Handbook of Research on Improving Student Achievement*, Association for Supervision and Curriculum Development, 2004.

<sup>15</sup> Center for Applied Linguistics

<sup>16</sup> Bruck, M., Lambert, W.E., Tucker, R. (1974), *Bilingual Schooling through the Elementary Grades: the St. Lambert Project at Grade Seven*. *Language Learning* 24. No. 2:183-204.

<sup>17</sup> Met, Myriam, "Improving Students' Capacity in Foreign Languages," *Phi Delta Kappan*, November, 2004.

- The ability to shift easily between symbol systems—such as mathematics and literacy
- Higher performance on divergent thinking tasks indicating greater ability to solve problems in creative ways
- Meta-linguistic awareness - this includes phonemic awareness, awareness of language as a tool to communicate, and the understanding that words are arbitrary symbols
- Improved overall school performance and superior problem-solving skills
- Higher scores on standardized tests - Results from the Scholastic Aptitude Test (SAT) show that students who had studied a foreign language for four or more years outscored other students on the verbal and math portions of the test.
- Students who have already gained significant skills in a second language have the ability to learn other languages more quickly than students who have never had foreign language training

Immersion students develop critical skills needed to become contributing citizens in our interconnected global society. The U.S. Department of Education and the Department of Defense have identified the critical need for acquisition of world languages such as Mandarin to remain competitive in the new global economy. Americans who are fluent in more than one language are needed for political and national security issues, promoting cultural understanding, and participating in global discussions on issues such as climate change and pandemic diseases. Within our own borders, multilingual teachers, healthcare providers and law enforcement officials can reach across cultures and languages to better serve their communities.

According to educators at Stanford University, world language instruction in California is undervalued and underfunded and must be supported for Californians to keep pace with global developments<sup>18</sup>. The development of innovative educational programs such as bilingual immersion programs helps to ensure America's continued role as a world leader and progressive society.

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<sup>18</sup> <http://www.stanford.edu/group/CFLP/StanfordExecutiveSummary111109.pdf>



# Appendix II-b: Draft School Year Calendar and Schedule

## 2011-2012 School Year Calendar for Families

### July

S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

July

Days of instruction: 0

### January 2011

S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

January

2-6: Winter Break - *No School*

16: MLK Jr. Holiday - *No School*

Days of instruction: 16

### August

S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

August

2: First Day of School for students

Days of instruction: 22

### February

S	M	T	W	Th	F	S
		1	2	3	4	
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29			

February

21: President's Day - *No School*

Days of instruction: 20

### September

S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

September

5: Labor Day - *No School*

Days of instruction: 21

### March

S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

March

Days of instruction: 17

### October

S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

October

3-7: Fall Break - *No School*

10: Columbus Day - *No School*

Days of instruction: 15

### April

S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

April

2-13: Spring Break - *No School*

Days of instruction: 16

### November

S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

November

11: Veteran's Day - *No School*

21-25: Thanksgiving - *No School*

Days of instruction: 18

### May

S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

May

28: Memorial Day - *No School*

Days of instruction: 22

### December

S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

December

22-31: Winter Break - *No School*

Days of instruction: 15

### June

S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

June

14: Last day of school

Days of instruction: 10

### Legend:

	Regular school day
	No School
	Early release day
	Testing Days

### School Hours:

M-F: 8:00 am - 3:30 pm  
Early dismissal: 1:00 pm

### Important Days:

- Family Events
- Report cards & progress reports
- Student-Led Conferences
- Other events or special days

### School days:

School Days	192
Saturday School Days	3
<b>Total School Days</b>	<b>195</b>

## Appendix II-d: Draft Strands, Goals and Activities in Mandarin Language Arts

### *Listening Strand*

<u>Kindergarten Goals / Milestones</u>	<u>First Grade Goals / Milestones</u>	<u>Second Grade Goals / Milestones</u>	<u>Sample Classroom Activities</u>
<p><b>Basic Goals:</b></p> <ul style="list-style-type: none"> <li>☑ Attend to spoken Mandarin for sustained periods of time</li> <li>☑ Detect and understand repeated language patterns</li> <li>☑ Understand conversations within a familiar and meaningful context</li> <li>☑ Understand familiar words and phrases in context</li> <li>☑ Understand school rules and classroom commands</li> <li>☑ Understand teacher’s instructions</li> <li>☑ At the end of a lesson, understand the main idea of the story</li> </ul> <p><b>Advanced Goals:</b></p> <ul style="list-style-type: none"> <li>☑ Understands unrehearsed verbal communication within semi-familiar context</li> <li>☑ Understand the main idea of a new story</li> </ul>	<p><b>Basic Goals:</b></p> <ul style="list-style-type: none"> <li>☑ Attend to spoken Mandarin for longer periods of time</li> <li>☑ Understand repeated language patterns</li> <li>☑ Understand and respond to conversations within a familiar context</li> <li>☑ Understand familiar words, phrases and sentences in context</li> <li>☑ Understand and act on teacher’s spoken instructions</li> <li>☑ Understand and follow familiar classroom activities</li> <li>☑ Understand the main idea of a new story</li> </ul> <p><b>Advanced Goals:</b></p> <ul style="list-style-type: none"> <li>☑ Attend to spoken Mandarin (e.g. teacher, videos, books, music, etc.) for longer periods of time</li> <li>☑ Comprehend familiar sentences on a regular basis</li> <li>☑ Understand and follow a variety of classroom activities</li> </ul>	<p><b>Basic Goals:</b></p> <ul style="list-style-type: none"> <li>☑ Attend to spoken Mandarin (e.g. teacher, videos, books, music, etc.) for longer periods of time</li> <li>☑ Comprehend familiar sentences on a regular basis</li> <li>☑ Respond to a variety of phrases and sentences on familiar topics appropriately</li> <li>☑ Understand familiar grade-appropriate words, phrases, and sentences in context</li> <li>☑ Understand and follow a variety of classroom activities</li> </ul> <p><b>Advanced Goals:</b></p> <ul style="list-style-type: none"> <li>☑ Respond to a variety of phrases appropriately</li> <li>☑ Understand 2- to 3-part instructions as appropriate for grade level</li> </ul>	<p><b>Classical Chinese Stories:</b> Folktales, legends, fables, fantasy, realistic fiction, children’s adventure stories, classical (ancient) poems, contemporary poems, and free verse poems.</p> <p><b>Poetry and Song:</b> Nursery rhymes, lyrics of popular children’s songs, classical (ancient) poems, contemporary poems, and free verse poems.</p> <p><b>Drama &amp; Dialogues:</b> Dramatization of stories, staged dialogue, brief account of familiar scenes and everyday situation; Verbal inquiry using both academic vocabulary and informal language as appropriate</p> <p><b>Inquiry (1st grade):</b> Small group discussion and presentation</p>

*Speaking Strand*

<u>Kindergarten Goals / Milestones</u>	<u>First Grade Goals / Milestones</u>	<u>Second Grade Goals / Milestones</u>	<u>Sample Classroom Activities</u>
<p><b>Basic Goals:</b></p> <ul style="list-style-type: none"> <li>☑ Regularly attempt to use words and phrases being used in the classroom by teachers and peers</li> <li>☑ Regularly attempt to communicate in simple words with teachers and peers</li> <li>☑ Repeat key words appropriately</li> <li>☑ Sing songs and understand the basic meaning of songs</li> <li>☑ Attempt to use correct pronunciation (accent and tones)</li> <li>☑ Try to create phrases and sentences to communicate in Chinese</li> </ul> <p><b>Advanced Goals:</b></p> <ul style="list-style-type: none"> <li>☑ Regularly use words, phrases, and sentences being used in the classroom by teachers and peers</li> <li>☑ Initiate communication with teachers and peers</li> <li>☑ Sing songs fluently and clearly and understand the meaning of each song</li> <li>☑ Describe a familiar situation (e.g. picture or scene from story) using appropriate key words, phrases and sentences</li> </ul>	<p><b>Basic Goals:</b></p> <ul style="list-style-type: none"> <li>☑ Regularly use words, phrases, and sentences being used in the classroom by teachers and peers</li> <li>☑ Sing new songs and understand the meaning of each song</li> <li>☑ Initiate communication with teachers and peers</li> <li>☑ Describe a familiar situation (e.g. picture or scene from story) using appropriate key words, phrases and sentences</li> </ul> <p><b>Advanced Goals:</b></p> <ul style="list-style-type: none"> <li>☑ Attempt to self-correct and approximate teacher’s pronunciation, tones, and phrasing</li> <li>☑ Create own mini-presentations to peers</li> </ul>	<p><b>Basic Goals:</b></p> <ul style="list-style-type: none"> <li>☑ Regularly use familiar words, phrases, and sentences being used in the classroom by teachers and peers</li> <li>☑ Can briefly retell a story, song, event, or poem in his/her own words</li> <li>☑ Initiate communication with teachers and peers</li> <li>☑ Self-correct and approximate teacher’s pronunciation, tones, and phrasing</li> <li>☑ Give a brief classroom presentation to peers</li> <li>☑ Recite poems, texts, and songs learned in class</li> </ul> <p><b>Advanced Goals:</b></p> <ul style="list-style-type: none"> <li>☑ Answer literal comprehension questions on short, familiar topics</li> <li>☑ Initiate impromptu descriptions of activities and personal events</li> </ul>	

*Reading Strand*

<u>Kindergarten Goals / Milestones</u>	<u>First Grade Goals / Milestones</u>	<u>Second Grade Goals / Milestones</u>	<u>Sample Classroom Activities</u>
<p><b>Basic Goals:</b></p> <ul style="list-style-type: none"> <li>☑ Understand that Mandarin is a pictorial language</li> <li>☑ Understand that characters are composed of individual strokes</li> <li>☑ Understand that characters are composed of radicals</li> <li>☑ Recognize 50 core characters in simplified form and state meaning</li> <li>☑ Begin to read basic characters, phrases, simple sentences and state meaning</li> </ul> <p><b>Advanced Goals:</b></p> <ul style="list-style-type: none"> <li>☑ Recognize an additional 50 core characters and state meaning</li> </ul>	<p><b>Basic Goals:</b></p> <ul style="list-style-type: none"> <li>☑ Recognize an additional 80-100 core characters and state meaning</li> <li>☑ Continue to use and further develop vocabulary learned in Kindergarten</li> <li>☑ Read 80 to 100 basic characters with good Mandarin pronunciation</li> </ul> <p><b>Advanced Goals:</b></p> <ul style="list-style-type: none"> <li>☑ Understand how radical are used to help understand and provide clues about the meaning of words</li> <li>☑ Begin awareness of using pinyin to help pronounce new characters</li> <li>☑ Recognize and correctly use an additional 80 to 100 basic characters</li> <li>☑ Begin to read and comprehend sentences and short paragraphs written in characters</li> </ul>	<p><b>Basic Goals:</b></p> <ul style="list-style-type: none"> <li>☑ Can identify most common radicals and explain how a character is formed</li> <li>☑ Begin to use pinyin to help pronounce new characters</li> <li>☑ Recognize and use an additional 100-150 basic characters and state meaning</li> <li>☑ Read and comprehend sentences and short paragraphs written in characters</li> </ul> <p><b>Advanced Goals:</b></p> <ul style="list-style-type: none"> <li>☑ Recognize and correctly use an additional 100-120 basic grade-level characters</li> <li>☑ Read and comprehend sentences and texts in context or on familiar topics</li> </ul>	<p>Stroke and Character of the Day</p> <p>Word Wall – key words for featured story and/or unit of inquiry</p> <p>“Character House” – 2 or more characters make a word</p> <p>“Radical House” – characters that share the same semantic radical</p> <p>Reading Log – reward book reading by setting goals and keeping records of books read</p> <p>Student-generated Picture Dictionaries</p> <p>Academic Vocabulary Notebook</p>

*Writing Strand*

<u>Kindergarten Goals / Milestones</u>	<u>First Grade Goals / Milestones</u>	<u>Second Grade Goals / Milestones</u>	<u>Sample Classroom Activities</u>
<p><b>Basic Goals:</b></p> <ul style="list-style-type: none"> <li>☑ Recognize basic strokes and understand that strokes are written in fixed directions</li> <li>☑ Begin awareness that each character has a certain stroke order</li> <li>☑ Follow correct stroke order to produce known characters</li> <li>☑ Be able to write 30 to 50 core characters following the correct stroke order</li> <li>☑ Begin to write short phrases and simple sentences</li> <li>☑ Begin to pay attention to punctuation mark: “period.”</li> </ul> <p><b>Advanced Goals:</b></p> <ul style="list-style-type: none"> <li>☑ Be able to write the additional 50 core characters</li> <li>☑ Begin to reproduce characters and short phrases provided by the teacher</li> <li>☑ Begin to communicate in written form using a combination of pictures and characters</li> </ul>	<p><b>Basic Goals:</b></p> <ul style="list-style-type: none"> <li>☑ Be able to write the additional 80-100 core characters developing correct form and stroke order</li> <li>☑ Begin to reproduce characters and short phrases provided by the teacher</li> <li>☑ Begin to communicate in written form using a combination of pictures and characters</li> <li>☑ Begin to pay attention to writing convention</li> </ul> <p><b>Advanced Goals:</b></p> <ul style="list-style-type: none"> <li>☑ Be able to write the additional 80-100 basic grade-level characters</li> <li>☑ Reproduce short patterned phrases and sentences provided by the teacher</li> <li>☑ Use a picture dictionary or other resources regularly and independently to practice Mandarin writing</li> </ul>	<p><b>Basic Goals:</b></p> <ul style="list-style-type: none"> <li>☑ Be able to write the additional 100-150 core characters developing correct form and stroke order</li> <li>☑ Reproduce short patterned phrases and sentences provided by the teacher</li> <li>☑ Learn to write brief correspondence such as notes, notices, and friendly letters</li> <li>☑ Write brief descriptions of classroom, home and personal events</li> <li>☑ Use a picture dictionary or other resources regularly and independently to practice Mandarin writing</li> </ul> <p><b>Advanced Goals:</b></p> <ul style="list-style-type: none"> <li>☑ Write with fluency and confidence</li> <li>☑ Pay attention to the writing process</li> </ul>	<p>“Author’s Chair” – creative writing and publishing</p> <p>Individual Mini Books</p> <ul style="list-style-type: none"> <li>☑ My Book of Strokes</li> <li>☑ My Book of Radicals</li> <li>☑ My Book of Characters</li> <li>☑ My Book of Phrases</li> <li>☑ My Book of Sentences</li> <li>☑ My Book of Stories</li> <li>☑ My Book of ... (unit related)</li> </ul> <p>“Draw and Dictate”</p> <p>Poetry Writing</p> <p>Whole Class Story</p>

## Appendix II-e: Draft Scope and Sequence of Topics in Mathematics

### Kindergarten

<u>Topics</u> (Date)	<u>Content and Skills</u>	<u>Vocabulary</u> - taught in Mandarin
Number sense (September)	<b>Match and Sort</b> <ul style="list-style-type: none"> <li>• <b>Distinguish relationships</b> between objects and <b>match</b> objects with similar relationships</li> <li>• <b>Analyze</b> characteristics within a group of objects and <b>match</b> objects together that share similar characteristics</li> <li>• <b>Explain</b> differences between sets of objects</li> </ul>	<ul style="list-style-type: none"> <li>• Same</li> <li>• Different</li> </ul>
Number – Counting (October)	<b>Numbers to 5</b> <ul style="list-style-type: none"> <li>• <b>Count, write, and identify</b> numbers through 5</li> <li>• <b>Count and correspond</b> objects to their numerical value up to 5</li> <li>• <b>Numbers to 10</b></li> <li>• <b>Count, write, and identify</b> numbers to 10 using whole numbers</li> <li>• <b>Represent</b> equivalent forms of the same number through use of concrete objects, drawings, word names, symbols</li> <li>• <b>Count, order, and group</b> concrete objects with quantities up to 10</li> <li>• Use whole numbers to <b>represent quantities</b> (1-10)</li> </ul>	<ul style="list-style-type: none"> <li>• Number words 0-10</li> <li>• Match</li> <li>• Find</li> </ul>
Number – Counting (May)	<b>Numbers to 100</b> <ul style="list-style-type: none"> <li>• <b>Read, count, and write</b> numbers up to 100</li> <li>• <b>Identify</b> the missing number in a given sequence of numbers within 100</li> <li>• <b>Count</b> by 2's, 5's and 10's from 0-100</li> </ul>	
Number – Order (November)	<b>Number Order</b> <ul style="list-style-type: none"> <li>• <b>Count</b> using whole numbers (0-10)</li> <li>• <b>Identify</b> the correct sequence of numbers from 0-10 and 10-0</li> <li>• <b>Identify</b> numbers that are missing from a given sequence, both forwards and backwards</li> </ul>	<ul style="list-style-type: none"> <li>• Count</li> <li>• Count up</li> <li>• Count down</li> </ul>
	<b>Compare Sets</b> <ul style="list-style-type: none"> <li>• <b>Identify and describe</b> sets of numbers and objects using the terms such as 'equal to' or are the 'same', 'more than' 'greater than', 'less than' or 'fewer than'</li> </ul> <b>Comparing Numbers</b> <ul style="list-style-type: none"> <li>• <b>Recognize</b> groups that are more, less or the same</li> <li>• <b>Compare</b> the value of two sets of numbers within 10</li> <li>• <b>Compare</b> numbers using more than, less/fewer than, or the same as</li> <li>• <b>Find</b> “how many more, or less/fewer, than” through matching objects to find remainder (or one-to-one correspondence)</li> </ul>	<ul style="list-style-type: none"> <li>• Greater (than)</li> <li>• Fewer (than)</li> <li>• Equal to Same</li> <li>• How many fewer?</li> <li>• How many more?</li> </ul>
Number – Number bonds (March)	<b>Number Bonds</b> <ul style="list-style-type: none"> <li>• <b>Identify</b> whole and parts in number bonds and pictorial representations</li> <li>• <b>Put pictures</b> into number stories and number bonds</li> <li>• <b>Demonstrate</b> understanding of number bonds through the addition of parts to find the whole</li> </ul>	<ul style="list-style-type: none"> <li>• Number Bond Whole Part</li> </ul>

Number – Operations (March)	<p><b>Addition</b></p> <ul style="list-style-type: none"> <li>• <b>Apply</b> the meaning of addition as “putting together” to solve simple problems</li> <li>• <b>Use pictures</b> to tell addition number stories</li> <li>• Apply the strategy of 'counting up' to find the sum.</li> <li>• <b>Solve</b> addition problems with sums up to 10 with and without the use of manipulative and pictorial cues</li> </ul> <p><b>Subtraction</b></p> <ul style="list-style-type: none"> <li>• <b>Identify</b> that subtracting means taking away</li> <li>• <b>Use pictures</b> to tell subtraction number stories</li> <li>• <b>Complete</b> subtraction problems by crossing out objects in pictures to represent taking away</li> <li>• <b>Solve</b> simple subtraction problems within 10 with and without the use of manipulative and pictorial cues</li> </ul>	<ul style="list-style-type: none"> <li>• Add/Plus (+)</li> <li>• Subtract/Minus (-)</li> <li>• Equal (=)</li> <li>• Altogether</li> <li>• Count up/on</li> </ul>
Number – Base Ten (February)	<p><b>Numbers to 20</b></p> <ul style="list-style-type: none"> <li>• <b>Count, read, and write</b> numbers up to 20</li> <li>• <b>Demonstrate understanding</b> of the difference between a group of tens and individual ones</li> <li>• <b>Apply</b> concepts of place value for tens and ones for numbers up to 20</li> <li>• <b>Apply</b> making 10 strategy for large groups of numbers before adding</li> <li>• <b>Complete</b> addition problems within 20 with picture cues</li> <li>• <b>Match</b> groups of objects and numbers, to the words for numbers under 20</li> </ul>	<ul style="list-style-type: none"> <li>• More than</li> <li>• Less than</li> <li>• Fewer than</li> <li>• Altogether</li> <li>• Making ten</li> <li>• Number words 11-20</li> </ul>
Number – Base Ten (April)	<p><b>Numbers to 30</b></p> <ul style="list-style-type: none"> <li>• <b>Read, write, and count</b> numbers up to 30</li> <li>• <b>Identify</b> the order of numbers up to 30 and back from 30</li> <li>• <b>Count numbers</b> to 30 by grouping into 10's and adding the ones</li> <li>• <b>Write numbers</b> using the place value chart.</li> </ul>	<ul style="list-style-type: none"> <li>• Number words 21-30</li> <li>• Tens</li> <li>• Ones</li> <li>• Group</li> </ul>
Geometry (November)	<p><b>Shapes</b></p> <ul style="list-style-type: none"> <li>• <b>Name and label</b> common two dimensional geometric shapes (circle, square, rectangle, triangle)</li> <li>• <b>Draw and Replicate</b> common two dimensional geometric shapes</li> <li>• <b>Identify</b> objects in the environment and describe geometric figures in real life</li> <li>• <b>Identify</b> the differences and <b>make connections</b> between 2-D and 3-D shapes</li> <li>• <b>Construct</b> 3-D shapes with paper folding (cube, cone)</li> <li>• <b>Identify</b> 3D shapes in real life</li> </ul>	<p>Circle, Square, Rectangle, Triangle, Line, Corners, Shape Sphere, Cone, Cube, Rectangular, Prism, Solid Red, Orange, Yellow, Green, Blue, Purple, Black, White, Brown, Pink, Gray</p>
Patterns (December)	<p><b>Patterns with Shapes</b></p> <p><b>Identify</b> the pattern in a given set of sequences</p> <ul style="list-style-type: none"> <li>• <b>Complete</b> and <b>Extend</b> a pattern sequence</li> <li>• <b>Draw and Create</b> a pattern using shapes</li> <li>• <b>Make</b> a pattern using pre-cut shapes</li> <li>• <b>Identify</b> patterns in real life</li> </ul>	<ul style="list-style-type: none"> <li>• Pattern</li> </ul>
Measurement (December)	<p><b>Length and Size</b></p> <ul style="list-style-type: none"> <li>• <b>Guess and measure</b> the length, height, width of various objects using nonstandard units of measurements</li> <li>• <b>Measure</b> distance and length using non-standard units of measurement such as hand span, foot length, and paces</li> <li>• <b>Make comparisons</b> between the sizes of objects and be able to identify which is longer, shorter, bigger and smaller</li> <li>• <b>Apply</b> concepts of length and size to put objects into size order (big to small, small to big)</li> </ul>	<ul style="list-style-type: none"> <li>• Length</li> <li>• Long(er)</li> <li>• Short(er)</li> <li>• Wide(er)</li> <li>• Tall(er)</li> <li>• Measure</li> <li>• Big(ger)</li> <li>• Small(er)</li> </ul>

Measurement (January)	<p><b>Weight</b></p> <ul style="list-style-type: none"> <li>• <b>Identify, name, and compare</b> objects that are lighter or heavier</li> <li>• <b>Compare</b> the weights of objects relative to each other using the terms “heavier than” and “lighter than”</li> <li>• <b>Read</b> a balancing scale to determine the weight of objects according to non-standard units of measurement</li> </ul> <p><b>Capacity</b></p> <ul style="list-style-type: none"> <li>• <b>Identify</b> objects that have capacity and objects that do not.</li> <li>• <b>Compare</b> the capacity of various objects by identifying which can hold more and which can hold less</li> <li>• <b>Identify</b> equivalent capacities.</li> <li>• <b>Measure</b> the capacity of larger containers by utilizing the capacity of smaller containers.</li> </ul>	<ul style="list-style-type: none"> <li>• Light(er)</li> <li>• Heavy(ier)</li> <li>• Less</li> <li>• More</li> </ul>
Time (May)	<p><b>Time</b></p> <ul style="list-style-type: none"> <li>• <b>Sequence</b> daily routines using the words "first", "second", "third", and "fourth", "fifth"</li> <li>• <b>Order</b> a short series of events in sequential order.</li> <li>• <b>Identify, read, and write</b> ordinal numbers up to 5</li> <li>• <b>Identify</b> activities done during the day and activities done at night.</li> <li>• <b>Identify</b> the purpose of a clock and fill in the numbers on the face of a clock.</li> <li>• <b>Identify</b> the long and short hand on a clock as the hour and minute hands</li> <li>• <b>Tell time</b> on an analog clock by the hour</li> <li>• <b>Identify and order</b> the days of the week</li> <li>• <b>Identify and order</b> the months in a year.</li> <li>• <b>Read and interpret</b> the data provided on a calendar</li> </ul>	<ul style="list-style-type: none"> <li>• Time &amp; Date</li> <li>• Ordinal Numbers 1st to 5th</li> <li>• Day, Night</li> <li>• Morning, Afternoon, Evening</li> <li>• Yesterday, Today, Tomorrow</li> <li>• Week, Monday to Sunday</li> <li>• Month, January to December</li> <li>• Calendar</li> </ul>
Money (June)	<p><b>Money</b></p> <ul style="list-style-type: none"> <li>• <b>Identify</b> the use and purpose of money.</li> <li>• <b>Identify</b> coins by name and image (penny, nickel, dime, quarter)</li> <li>• <b>Demonstrate</b> understanding of the correlation between a coin and its value</li> <li>• <b>Count</b> groups of coins to find their total value</li> <li>• <b>Match</b> the price tag of an item to the correct number of coins needed to pay for it.</li> <li>• <b>Identify</b> the correct amount of money needed to pay for an item from a large group of coins.</li> </ul>	<ul style="list-style-type: none"> <li>• Coin</li> <li>• Dollar</li> <li>• Cent</li> <li>• Penny (1 cent)</li> <li>• Nickel (5 cents)</li> <li>• Dime (10 cents)</li> <li>• Quarter (25 cents)</li> <li>• Price</li> <li>• Spend/Cost</li> <li>• Pay</li> </ul>

*First Grade*

<u>Topics</u> <u>(Date)</u>	<u>Content and Skills</u>	<u>Vocabulary</u> <u>- taught in Mandarin</u>
Number sense (September)	<p><b>Numbers 0-10</b></p> <ul style="list-style-type: none"> <li>• <b>Identify</b> the value of sets using words "more," "less"</li> <li>• <b>Identify</b> numbers that are missing, what number comes before and after given numbers</li> <li>• <b>Identify</b> even and odd numbers</li> <li>• <b>Count</b> using whole numbers by 1's, 2's, 5's, and 10's</li> <li>• <b>Ordinal Numbers</b></li> <li>• <b>Identify</b> naming positions 1-10, first, second, third....to tenth</li> <li>• <b>Identify positions</b> from left and right.</li> <li>• <b>Number Bonds</b></li> <li>• <b>Identify</b> whole and parts in number bonds and pictorial representations</li> <li>• <b>Demonstrate</b> understanding of number bonds through the addition of parts to find the whole</li> </ul>	<ul style="list-style-type: none"> <li>• Numbers 0-10</li> <li>• Ordinal Numbers 1st to 10th</li> <li>• More</li> <li>• Less</li> <li>• Number Bond</li> <li>• Whole</li> <li>• Part</li> <li>• Left</li> <li>• Right</li> </ul>



	<ul style="list-style-type: none"> <li>• <b>Recognize</b> the function and relationship of numbers in a number bond</li> <li>• <b>Identify</b> multiple number pairs that make sums 1-10</li> </ul>	
	<p><b>Addition</b></p> <ul style="list-style-type: none"> <li>• <b>Demonstrate</b> understanding of addition as “putting together”</li> <li>• <b>Identify relationships</b> in pictures in order to create addition number stories.</li> <li>• <b>Use number bonds</b> to solve addition problems (under 10).</li> </ul> <p><b>Subtraction within 10</b></p> <ul style="list-style-type: none"> <li>• <b>Make</b> subtraction stories from a picture</li> <li>• <b>Make</b> up subtraction stories from number sentences</li> <li>• <b>Identify strategies</b> for subtraction e.g. counting back, use of number line; apply to solve problems.</li> </ul>	<ul style="list-style-type: none"> <li>• Add</li> <li>• Subtract</li> <li>• Number story</li> <li>• Number Sentence</li> <li>• Addition Sentence</li> <li>• Subtraction Sentence</li> <li>• Plus</li> <li>• Altogether</li> <li>• Minus</li> <li>• Subtract</li> <li>• Take Away</li> </ul>
	<p><b>Review</b></p> <ul style="list-style-type: none"> <li>• <b>Review</b> of addition and subtraction concepts with numbers under 10.</li> <li>• <b>Identify and apply</b> different strategies to add and subtract small numbers</li> <li>• <b>Identify and memorize</b> the ways to make 10.</li> <li>• <b>Identify patterns</b> when skip counting by 2's and be able to skip count from 2-20; count back from 20-2</li> <li>• <b>Compute and solve</b> vertical and horizontal single digit addition and subtraction problems with sums and differences within 10</li> <li>• <b>Describe</b> inverse relationship between addition and subtraction.</li> </ul>	
Number – Base Ten & Operations (November)	<p><b>Numbers to 20</b></p> <ul style="list-style-type: none"> <li>• <b>Count, write, and identify</b> numbers to 20</li> <li>• <b>Compare numbers</b> using greater than, the greatest, smaller than, the smallest, and equal to</li> <li>• <b>Use symbols</b> of greater than, less than, and equal to <b>compare and contrast</b> numbers under 20</li> <li>• <b>Spell</b> numbers from eleven to twenty</li> <li>• <b>Group</b> bundles of 10 and demonstrate understanding of place value concepts</li> <li>• <b>Compute addition and subtraction</b> sentences with sums up to 20</li> <li>• <b>Identify</b> missing numbers within 20 in a given sequence, forward, backward, and in between</li> <li>• <b>Complete addition and subtraction problems</b> with sums within 20</li> </ul>	<ul style="list-style-type: none"> <li>• Numbers 11-20</li> <li>• Greater Greatest</li> <li>• Smaller Smallest</li> <li>• Place Value</li> <li>• Tens</li> <li>• Ones</li> <li>• Addition Sentence</li> <li>• Subtraction Sentence</li> </ul>
Number – Base Ten & Operations (March)	<p><b>Numbers to 40</b></p> <ul style="list-style-type: none"> <li>• <b>Count, read, and write</b> numbers to 40</li> <li>• <b>Identify and write</b> out all numbers in words to 40</li> <li>• <b>Name and group</b> tens and ones for numbers to 40</li> <li>• <b>Compare numbers</b> up to 40 using &gt;, &lt;, = symbols for greater than, less than, equal to</li> <li>• <b>Add</b> single digits to double digit numbers within 40 with some regrouping</li> <li>• <b>Subtract</b> single digits from double digit numbers within 40 with some regrouping</li> <li>• <b>Add</b> 3 single digits together with sums under 40</li> </ul>	<ul style="list-style-type: none"> <li>• Numbers 21-40</li> <li>• Tens</li> <li>• Ones</li> <li>• Greater Than &gt;</li> <li>• Less Than &lt;</li> <li>• Equal to =</li> </ul>

Number – Base Ten & Operations (May)	<b>Numbers to 100</b> <ul style="list-style-type: none"> <li>• <b>Count and order</b> numbers from 1 to 100</li> <li>• <b>Identify</b> number patterns in 100 chart</li> <li>• <b>Identify</b> place value concepts for numbers up to 100</li> <li>• <b>Add and subtract</b> numbers up to 100</li> <li>• <b>Interpret and solve</b> word problems involving addition and subtraction of numbers within 100</li> </ul>	<ul style="list-style-type: none"> <li>• Numbers 31-100 in numbers and words</li> <li>• Place Value</li> <li>• Place Value Chart</li> <li>• Ones</li> <li>• Tens</li> <li>• Hundreds</li> </ul>
Geometry (December)	<b>Shapes</b> <ul style="list-style-type: none"> <li>• <b>Identify and Name</b> basic two and three dimensional shapes such as circles, squares, rectangles, triangles, cones, sphere, cubes, rectangular prisms and boxes</li> <li>• <b>Identify</b> two and three dimensional shapes in surroundings and environment</li> <li>• <b>Group shapes into sets</b> according to shared characteristics such as size, number of sides, corners, etc</li> <li>• <b>Create and complete</b> patterns using shapes</li> <li>• <b>Identify</b> corners and sides on a shape</li> <li>• <b>Identify and draw</b> lines of symmetry in geometric figures</li> <li>• <b>Identify</b> lines of symmetry in nature</li> </ul>	<ul style="list-style-type: none"> <li>• Shape Circle Triangle Rectangle Square Cube Rectangular</li> <li>• Prism</li> <li>• Pattern</li> <li>• Side</li> <li>• Corner</li> <li>• Symmetry</li> </ul>
Measurement (January- February)	<b>Length</b> <ul style="list-style-type: none"> <li>• <b>Identify and compare</b> the length, width, and height of objects using terms, long, short, tall, -er, -est</li> <li>• <b>Identify</b> length and distance using various non-standard units of measurements</li> <li>• <b>Apply</b> knowledge of length to <b>solve</b> word problems</li> <li>• <b>Identify</b> inch and centimeter as units of measurement for determining length</li> </ul> <b>Weight</b> <ul style="list-style-type: none"> <li>• <b>Compare</b> the weight of objects using the terms “heavier than” “lighter than”, and “as heavy as”</li> <li>• <b>Order</b> objects based on weight</li> <li>• <b>Read</b> a balance scale</li> <li>• <b>Use</b> non-standard units of measurement to measure the weight of an object on the balance scale</li> </ul> <b>Capacity</b> <ul style="list-style-type: none"> <li>• <b>Compare</b> the capacity of various objects by identifying which can hold more and which can hold less</li> <li>• <b>Identify</b> equivalent capacities.</li> <li>• <b>Measure</b> the capacity of larger containers by utilizing the capacity of smaller containers.</li> </ul>	<ul style="list-style-type: none"> <li>• Length</li> <li>• Long (er, est)</li> <li>• Short (er, est)</li> <li>• Tall (er, est)</li> <li>• Unit</li> <li>• Weight</li> <li>• Measure</li> <li>• Light (er, est)</li> <li>• Heavy (er, est)</li> </ul>
	<b>Graphs</b> <ul style="list-style-type: none"> <li>• <b>Read, gather, and interpret</b> information from pictographs and bar graphs</li> <li>• <b>Gather Data and Create</b> graphs from data</li> <li>• <b>Compare</b> amounts within graphs through subtraction and addition</li> <li>• <b>Use information</b> from graphs to <b>answer questions</b> relating to the graph and <b>draw conclusions</b> based on the data</li> </ul>	<ul style="list-style-type: none"> <li>• Light(er)</li> <li>• Heavy(ier)</li> <li>• Less</li> <li>• More</li> </ul>

Time (April)	<p><b>Time</b></p> <ul style="list-style-type: none"> <li>• <b>Sequence</b> daily routines using the words "first", "second", "third", and "fourth", "fifth"</li> <li>• <b>Order</b> a short series of events in sequential order.</li> <li>• <b>Tell time</b> on an analog clock by the hour, half past the hour, and quarter</li> <li>• <b>Identify and order</b> the days of the week</li> <li>• <b>Identify and order</b> the months in a year.</li> <li>• <b>Read and interpret</b> the data provided on a calendar</li> <li>• <b>Write the time</b> from an analog clock in digital form.</li> </ul>	<ul style="list-style-type: none"> <li>• Time &amp; Date</li> <li>• Ordinal Numbers 1st to 5th</li> <li>• Day Night Morning Afternoon Evening</li> <li>• Yesterday Today Tomorrow</li> <li>• Week</li> <li>• Monday to Sunday</li> <li>• Month</li> <li>• January to December</li> </ul>
Money (June)	<p><b>Money</b></p> <ul style="list-style-type: none"> <li>• <b>Recognize and identify</b> U.S. coins (penny, nickel, dime, quarter, half-dollar, dollar coin) and the value of each</li> <li>• <b>Identify</b> 1-,5-,10-, and 20-dollar bills.</li> <li>• <b>Understand the correlation</b> between a coin or bill and its value</li> <li>• <b>Count and identify</b> the amount of money in a set of coins</li> <li>• <b>Count and identify</b> the amount of money in a set of bills</li> <li>• <b>Count and identify</b> the value of a group of coins and bills</li> <li>• <b>Compare the value</b> of different amounts of money</li> <li>• <b>Write</b> the value of a given set of money</li> <li>• <b>Add</b> money by counting up starting with largest bills/coins first and moving to smallest bills/coins second</li> <li>• <b>Subtract</b> money and make change</li> <li>• <b>Utilize</b> skip-counting strategies to add and subtract money (counting by 1's, 5's, 10's)</li> </ul>	<ul style="list-style-type: none"> <li>• Penny (1 cent)</li> <li>• Nickel (5 cents)</li> <li>• Dime (10 cents)</li> <li>• Quarter (25 cents)</li> <li>• Half dollar (50 cents)</li> <li>• Dollar coin (100 cents)</li> <li>• Coin</li> <li>• Bill</li> <li>• Dollar</li> <li>• Cent</li> <li>• 1-, 5-, 10-, 20-dollar bill</li> <li>• Change</li> <li>• Price</li> <li>• Spend/cost</li> <li>• Buy</li> <li>• Sell</li> </ul>

*Second Grade*

<u>Topics</u> (Date)	<u>Content and Skills</u>	<u>Vocabulary</u> - taught in Chinese
Number – Counting & Operations (September)	<p><b>Numbers 1-1000</b></p> <ul style="list-style-type: none"> <li>• Review numbers up to 1000</li> <li>• <b>Identify</b> various ways to represent numerical value, including use of expanded forms of numbers</li> <li>• <b>Compare</b> the value of numbers using terms and symbols for "greater than" and "less than"</li> <li>• <b>Identify</b> numerical value of various representations of quantities using bundling and place value charts</li> <li>• <b>Identify</b> odd and even numbers</li> <li>• <b>Estimate</b> objects in a set up to 1000</li> </ul> <p><b>Number Bonds</b></p> <ul style="list-style-type: none"> <li>• <b>Identify</b> whole and parts in number bonds and pictorial representations</li> <li>• <b>Recognize</b> the function and relationship of numbers in a number bond</li> </ul>	<ul style="list-style-type: none"> <li>• Greater Than</li> <li>• Less Than</li> <li>• Smallest</li> <li>• Greatest</li> <li>• Whole</li> <li>• Part</li> <li>• Ones</li> <li>• Tens</li> <li>• Hundreds</li> <li>• Number bonds</li> </ul>

<p>Number – Operations (October)</p>	<p><b>Addition and Subtraction</b></p> <ul style="list-style-type: none"> <li>• <b>Demonstrate</b> the understanding of the meaning of addition and subtraction through accurate computation of addition and subtraction problems that do not require regrouping</li> <li>• <b>Add and subtract</b> single, double, and triple digits with no regrouping</li> <li>• <b>Apply</b> place value concepts and numeration to counting, ordering, and grouping for numbers up to 1000</li> <li>• <b>Describe</b> inverse relationship between addition and subtraction (using number bonds)</li> <li>• <b>Use</b> a variety of graphic organizers (number bonds, place value chart) to <b>complete</b> double and triple digit addition and subtraction problems with double and triple digits</li> <li>• <b>Count</b> using whole numbers and by 2's, 5's, 10's, 100's</li> <li>• <b>Create and solve</b> number bonds using addition and subtraction.</li> <li>• <b>Create</b> addition and subtraction stories and sentences based on pictures.</li> <li>• <b>Apply problem solving strategies</b> to solve word problems related to addition and subtraction</li> <li>• <b>Estimate</b> values for addition and subtraction</li> <li>• <b>Compare</b> estimation with calculated answer</li> </ul>	<ul style="list-style-type: none"> <li>• Add</li> <li>• Subtract</li> <li>• Number story</li> <li>• Number Sentence</li> <li>• Addition Sentence</li> <li>• Subtraction Sentence</li> <li>• Value</li> <li>• Place Value</li> </ul>
<p>Number – Base Ten &amp; Operations (November)</p>	<p><b>Addition and Subtraction</b></p> <ul style="list-style-type: none"> <li>• <b>Solve</b> double and triple digit addition with regrouping problems using a place value chart to guide understanding of the process of regrouping</li> <li>• <b>Solve</b> double and triple digit subtraction with regrouping problems using place value chart to guide understanding of the process of regrouping</li> <li>• <b>Solve</b> addition and subtraction with regrouping problems</li> <li>• <b>Analyze and solve</b> word problems related to addition and subtraction</li> </ul> <p><b>Addition and Subtraction</b></p> <ul style="list-style-type: none"> <li>• <b>Identify whole and part</b> to complete addition and subtraction problems mentally</li> <li>• <b>Count</b> up and down to nearest 10 in order to complete mental math problems</li> </ul>	<ul style="list-style-type: none"> <li>• Regroup</li> <li>• Bundle</li> <li>• Unbundle</li> <li>• Whole</li> <li>• Part</li> <li>• Mental Math</li> </ul>
<p>Number – Operations (December)</p>	<p><b>Word Problems</b></p> <ul style="list-style-type: none"> <li>• <b>Analyze</b> the data in a word problem to <b>determine</b> where it fits in the bar model</li> <li>• <b>Create and label</b> bars with numbers, whole, and part for addition and subtraction in order to solve word problems</li> </ul>	<ul style="list-style-type: none"> <li>• Bar model</li> </ul>

	<p><b>Multiplication</b></p> <ul style="list-style-type: none"> <li>• <b>Understand</b> multiplication to be repeated addition of equal groups</li> <li>• <b>Apply</b> this knowledge to <b>solve</b> multiplication problems</li> <li>• <b>Make and interpret</b> multiplication stories</li> <li>• <b>Make connections and relate</b> division to repeated subtraction, or separating a group (whole) into parts</li> <li>• <b>Multiply numbers</b> with products up to 40 using pictorial cues</li> </ul> <p><b>Division</b></p> <ul style="list-style-type: none"> <li>• <b>Understand</b> that division is repeated, equal subtraction into groups and <b>apply</b> this knowledge to <b>solve</b> division problems successfully</li> <li>• <b>Make and interpret</b> division stories</li> <li>• <b>Divide groups</b> of 40 or less accurately through pictures and numbers.</li> </ul> <p><b>Multiplication and Division by 2 and 3</b></p> <ul style="list-style-type: none"> <li>• <b>Count</b> forward and backwards by 2s and 3s and apply to <b>memorize</b> the 2 and 3 times tables</li> <li>• <b>Apply</b> concepts of multiplication to solve word problems using the bar method</li> <li>• <b>Solve</b> multiplication and division problems of 2 and 3</li> <li>• <b>Describe</b> the inverse relationship between multiplication and division</li> <li>• <b>Demonstrate mastery</b> of 2 and 3 times tables</li> </ul> <p><b>Multiplication and Division by 4, 5 and 10</b></p> <ul style="list-style-type: none"> <li>• <b>Solve</b> multiplication and division problems of 4, 5, 10</li> <li>• <b>Describe</b> the inverse relationship between multiplication and division</li> <li>• <b>Solve</b> word problems related to multiplication and division.</li> <li>• <b>Demonstrate mastery</b> of 4, 5, 10 times tables</li> </ul>	<ul style="list-style-type: none"> <li>• Multiplication</li> <li>• Multiply</li> <li>• Division</li> <li>• Divide</li> </ul>
<p>Number – Fractions (March)</p>	<p><b>Fractions</b></p> <ul style="list-style-type: none"> <li>• <b>Use diagrams, drawings or models</b> to show fractions as part of a whole</li> <li>• <b>Identify, draw, and write out</b> halves (<math>1/2</math>) and quarters (<math>1/4</math>)</li> <li>• <b>Read and write</b> fractions</li> <li>• <b>Compare fractions</b> using greater than <math>&gt;</math>, less than <math>&lt;</math>, equal to <math>=</math></li> <li>• <b>Solve</b> word problems relating to fractions</li> </ul> <p><b>Probability</b></p> <ul style="list-style-type: none"> <li>• <b>Determine</b> whether a spinner is fair or unfair</li> <li>• <b>State and explain</b> the likelihood of an event using the terms certain, likely, unlikely, or impossible</li> </ul>	<ul style="list-style-type: none"> <li>• Fraction</li> <li>• Half (<math>1/2</math>)</li> <li>• Quarter (<math>1/4</math>)</li> <li>• One third (<math>1/3</math>)</li> <li>• Fair</li> <li>• Unfair</li> <li>• Possible</li> </ul>

	<p><b>Length</b></p> <ul style="list-style-type: none"> <li>• <b>Estimate and measure</b> the length of objects using meters and centimeters as units of measurement</li> <li>• <b>Identify and use</b> the correct tools and units to measure various lengths (meter stick, ruler, tape measure)</li> <li>• <b>Select</b> the proper units of measurement when asked to measure various objects/distances</li> <li>• <b>Memorize</b> unit conversion of 1 m = 100 cm</li> <li>• <b>Solve</b> word problems related to length</li> </ul> <p><b>Length</b></p> <ul style="list-style-type: none"> <li>• <b>Estimate and measure</b> the length of objects using yards, feet, and inches as a unit of measurement</li> <li>• <b>Estimate and measure</b> distance using yards and feet as units of measurement</li> <li>• <b>Select</b> the proper units of measurement when asked to measure the length, width, or height of various objects (yd vs ft vs in)</li> <li>• <b>Memorize</b> unit conversions (1 ft is equal to 12 in. and 1 yd is equal to 3 ft. )</li> <li>• <b>Solve</b> word problems related to length</li> <li>• <b>Compare and Contrast</b> Metric and English Measuring Systems</li> </ul> <p><b>Weight</b></p> <ul style="list-style-type: none"> <li>• <b>Select</b> proper units of measurement to use to weight objects (kg vs. g, lbs. vs. oz.)</li> <li>• <b>Compare</b> the relative weight of objects</li> <li>• <b>Solve</b> word problems related to weight.</li> </ul> <p><b>Temperature</b></p> <ul style="list-style-type: none"> <li>• <b>Read</b> a thermometer</li> <li>• <b>Identify</b> a thermometer as an instrument to measure temperature</li> <li>• <b>Identify</b> different units for measuring temperature (Fahrenheit and Celsius)</li> </ul>	<ul style="list-style-type: none"> <li>• Meter, m</li> <li>• Centimeter, cm</li> <li>• Length</li> <li>• Height</li> <li>• Distance</li> <li>• Measure</li> <li>• Meter Stick</li> <li>• Metric System</li> <li>• Long(er)</li> <li>• Short(er)</li> <li>• Yard, yd</li> <li>• Foot, Feet, ft</li> <li>• Inch, in</li> <li>• English Measuring System</li> <li>• Metric System</li> <li>• Yard Stick</li> <li>• Weight</li> <li>• Kilogram, kg</li> <li>• Heavier, Heaviest</li> <li>• Lighter, Lightest</li> <li>• Gram, g</li> <li>• Pound, lb.</li> <li>• Ounce, oz.</li> <li>• Fahrenheit</li> <li>• Celsius</li> </ul>
(April)	<p><b>Capacity</b></p> <ul style="list-style-type: none"> <li>• <b>Compare</b> the capacities of various containers and identify which holds more and which holds less</li> <li>• <b>Identify</b> different units of measurement for capacity</li> <li>• <b>Identify</b> how much is a liter, cup, pint, quart and gallon.</li> <li>• <b>Write, read, and identify</b> the abbreviations for liter (l), cup (c), pint (pt), quart (qt), and gallon (gal).</li> <li>• <b>Complete conversions</b> for different units of measurements for capacity.</li> </ul>	<ul style="list-style-type: none"> <li>• Capacity</li> <li>• Liter</li> <li>• Cup</li> <li>• Pint</li> <li>• Quart</li> <li>• Gallon</li> </ul>
Money (March)	<p><b>Money</b></p> <ul style="list-style-type: none"> <li>• <b>Recognize and attribute</b> value to the US currency \$1, \$5, \$10, \$20, \$100 bills, and pennies, nickels, dimes, and quarters</li> <li>• <b>Count</b> money using various combinations of bills and coins</li> <li>• <b>Add and subtract</b> money to <b>create totals</b> or <b>make change</b></li> <li>• <b>Write out</b> amounts of money using dollar and cent signs</li> <li>• <b>Solve</b> word problems relating to money</li> </ul>	<ul style="list-style-type: none"> <li>• Dollar</li> <li>• Bill</li> <li>• Price and Cost</li> <li>• Change</li> </ul>
	<p><b>Time</b></p> <ul style="list-style-type: none"> <li>• <b>Tell time</b> on a clock using "___ minutes to ___" and "___ minutes past ___".</li> <li>• <b>Identify</b> hour, minute, and second increments throughout a day</li> <li>• <b>Identify time intervals</b> between two periods of time</li> <li>• <b>Solve</b> word problems relating to time.</li> </ul>	<ul style="list-style-type: none"> <li>• Time</li> <li>• Half past</li> <li>• Quarter to</li> <li>• Quarter past</li> <li>• Second</li> <li>• Minute</li> </ul>

		<ul style="list-style-type: none"> <li>• Hour</li> </ul>
Data (May)	<b>Graphs</b> <ul style="list-style-type: none"> <li>• <b>Read and interpret</b> data on different types of graphs (picture graph, bar graph)</li> <li>• <b>Use data</b> collected from graphs to <b>solve problems and answer</b> questions about the graph</li> <li>• <b>Gather</b> information and <b>organize</b> it into a graph</li> </ul>	<ul style="list-style-type: none"> <li>• Picture Graph</li> <li>• Bar Graph</li> </ul>
Geometry (May)	<b>Geometry</b> <ul style="list-style-type: none"> <li>• <b>Name and Identify</b> 3 dimensional shapes</li> <li>• <b>Identify flat and curved</b> faces on various 3-D shapes</li> <li>• <b>Sort and group</b> shapes based on shared characteristics</li> <li>• <b>Make new shapes</b> with shapes using paper cuttings and tangrams</li> <li>• <b>Identify</b> what comes next in a pattern using shapes.</li> <li>• <b>Create patterns</b> with shapes.</li> <li>• <b>Identify and draw</b> lines of symmetry in geometric figures</li> <li>• <b>Identify</b> symmetry in nature</li> <li>• <b>Predict</b> how shapes can be changed by combining or dividing them</li> </ul>	<ul style="list-style-type: none"> <li>• Shape</li> <li>• Cube</li> <li>• Prism</li> <li>• Side and Corner</li> <li>• Face (of a shape)</li> <li>• Flat face</li> <li>• Curved face</li> <li>• Straight line</li> <li>• Curved line</li> <li>• Symmetry</li> </ul>
(June)	<b>Area</b> <ul style="list-style-type: none"> <li>• <b>Identify</b> square units</li> <li>• <b>Make</b> various shapes with square units and identify the shapes that have the same area</li> <li>• <b>Identify</b> the area of figures by counting the total square units in the figure</li> <li>• <b>Solve word problems</b> related to area.</li> </ul> <b>Perimeter</b> <ul style="list-style-type: none"> <li>• <b>Identify</b> the perimeter of different shapes</li> </ul>	<ul style="list-style-type: none"> <li>• Vertex/ vertices</li> <li>• Edge</li> <li>• Unit</li> <li>• Square unit</li> <li>• Perimeter</li> <li>• Area</li> </ul>
(June)	<b>Review</b>	

## Appendix II-f: Draft ELA Non-Transferable Standards – K-2

*The following skills and knowledge are language skills that are particular to the English language, not transferable from Mandarin. Therefore, these are strands that need to be carefully and explicitly taught as part of the English Language Arts time during each grade. These concepts will be aligned with California State Standards, organized into a pacing guide, and matched with state-adopted curriculum materials.*

### *Kindergarten*

#### Strand: Print concepts

- Understand that words are separated by spaces in print.
- Recognize and name all upper- and lowercase letters of alphabet

#### Strand: Phonological Awareness

- Recite and produce rhyming words.
- Count, pronounce, blend, and segment syllables in spoken words.
- Blend and segment consonants and rimes of spoken words (/g/ - /oat/, /bl/ - /ack/).
- Demonstrate phonemic awareness by isolating and pronouncing the initial, medial vowel, and final phonemes (sounds) in three-phoneme (CVC) words (e.g., /save/, /ham/). (This does not include CVCs ending with /l/, /r/, or /x/.)
- Add or substitute individual phonemes in simple, one-syllable words to make new words (e.g., /at/ → /sat/ → /mat/ → /map/).
- Segment spoken single-syllable words into their complete sequence of individual phonemes (e.g., lap: /l/-/a/-/p/ → /f/-/l/-/a/-/p/).
- Aurally distinguish long from short vowel sounds in spoken single-syllable words (e.g., /tap/ vs. /tape/, /sock/ vs. /soak/, /sit/ vs. /sight/).
- Orally produce single-syllable words by blending phonemes, including consonant blends (e.g., /cats/, /black/, /blast/).
- Isolate and pronounce initial, medial vowel, and final phonemes (sounds) in spoken single-syllable words (e.g., fast, fast, fast).

#### Strand: Phonics and Word Recognition

- Demonstrate basic knowledge of letter-sound correspondences by producing the primary or most frequent sound for each consonant.
- Associate the long and short sounds with the graphemes for the five major vowels.
- Read at least twenty-five very-high frequency words by sight (e.g., the, of, to, you, she, my, is, are, do, does).
- Distinguish between similarly spelled words by identifying the sounds of the letters that differ (e.g., bat vs. sat, cat vs. can, hit vs. hot).
- Know the spelling-sound correspondences for common consonant digraphs (e.g., -ll, -ck, wr-, sh).
- Decode regularly-spelled one-syllable words (e.g., lock, much, see, rain, slide, bake, bring).

#### Strand: Fluency

- Read emergent-reader texts with purpose and understanding.

### *First Grade*

#### Strand: Phonics and Word Recognition

- Know final -e (e.g., take, side) and common vowel team conventions (e.g., rain, day, week, seat, road, show) for representing long vowel sounds.



- Use knowledge that every syllable must have a vowel sound to determine the number of syllables in a printed word.
- Decode two-syllable words following basic patterns (e.g., rabbit) by breaking the words into syllables.
- Decode regularly spelled two-syllable words with long vowels (e.g., surprise, remain, needle, baby, paper).
- Read words with inflectional endings (e.g., -s, -es, -ed, -ing, -er, -est).
- Know spelling-sound correspondences for additional common vowel teams (e.g., loud, cow, look, loop, boy, boil).
- Distinguish long and short vowels when reading regularly spelled one-syllable words (e.g., hop vs. hope, men vs. mean, fell vs. feel, bend vs. bead).
- Recognize and read grade-appropriate irregularly-spelled words (e.g., said, were, could, would, their, there, through, none, both).

#### Strand: Fluency

- Read on-level text with purpose and understanding.
- Read on-level text orally with accuracy, appropriate rate, and expression on successive readings.

#### Strand: Conventions of Grammar and Usage

- Print most upper- and lowercase letters.
- Write a letter or letters for most consonant and short-vowel sounds (phonemes).
- Form regular plural nouns orally by adding /s/ or /es/ (e.g., dog, dogs; wish, wishes) when speaking.
- Understand and use the most frequently occurring prepositions in English (e.g., to/from, in/out, on/off, for, of, by, with) when speaking.
- Produce and expand complete sentences in shared language and writing activities.
- Understand and use question words (e.g., who, what, where, when, why, how) in discussions.
- Use singular and plural nouns with matching verbs in simple sentences (e.g., *He hops*; *We hop*).
- Use subject, object, and possessive pronouns in speaking and writing (e.g., *I, me, my*; *they, them, their*).
- Understand and use frequently occurring prepositions in English (e.g., *during, toward*).

#### Strand: Conventions of Capitalization, Punctuation, and Spelling

- Capitalize the first word in a sentence and the pronoun I.
- Name and identify end punctuation, including periods (note the difference between a period in a Chinese sentence and that in an English one), question marks, and exclamation points (note the last two are the same as those in a Chinese sentence).
- Spell simple words phonetically using knowledge of sound-letter relationships.
- Form new words through addition, deletion, and substitution of sound and letters (e.g., an → man → mat → mast → must → rust → crust).

#### Strand: Determination of Word Meanings

- Sort common objects into categories (e.g., shapes, foods) to gain a sense of the concepts the categories represent (note the similar concepts in Chinese except for terms to use in English).
- Identify new meanings for familiar words and apply them accurately (e.g., knowing *duck* as a bird and learning the verb *to duck*).
- Use the most common affixes in English (e.g., -ed, -s, re-, un-, pre-, -ful, -less) as a clue to the meaning of an unknown word.

#### Strand: Understanding Word Relationships

- Build real-life connections between words and their use (e.g., note places at school that are colorful).
- Distinguish shades of meaning among verbs describing the same general action (e.g., walk, march, strut, prance) by acting out the meanings.
- Demonstrate understanding of common verbs and adjectives by relating them to their opposites (antonyms).

## *Second Grade*

### Strand: Phonics and Word Recognition

- Decode words with common prefixes and suffixes (e.g., unhappy, carefully, goodness, unbutton).
- Decode multi-syllable words (e.g., supper, chimpanzee, refrigerator, terrible, frightening)
- Identify words with inconsistent but common spelling-sound correspondences (e.g., heat vs. head, roll vs. doll, hint vs. hind).
- Decode words with common Latin suffixes (e.g., -tion/-sion, -ture, -tive/-sive, -ify, -ity, -ment).
- Identify and know the meaning of the most common prefixes and derivational suffixes (e.g., un-, re-, mis-, -ful, -less, -able).
- Recognize and read grade-appropriate irregularly spelled words (e.g., through, eyes, busy, ocean, island, people).
- Read grade-appropriate irregularly-spelled words (e.g., although, science, stomach, machine).

### Strand: Fluency

- Use context to confirm or self-correct word recognition and understanding, rereading as necessary.
- Read on-level text with purpose and understanding.
- Read on-level text orally with accuracy, appropriate rate, and expression on successive readings

### Strand: Conventions of Grammar and Usage

- Form common irregular plural nouns (e.g., *feet, children, teeth, mice, fish*).
- Produce and expand complete declarative, interrogative, imperative, and exclamatory sentences in response to questions and prompts.
- Use verbs to convey a sense of past, present, and future in writing and speaking (e.g., *Yesterday I walked home; Today I walk home; Tomorrow I will walk home*).
- Form the past tense of common irregular verbs (e.g., *sat, hid, told*).
- Understand that, minimally, every sentence must be about something (the subject) and tell something (the predicate) about its subject.

### Strand: Conventions of Capitalization, Punctuation, and Spelling

- Capitalize names, places, and dates.
- Capitalize holidays, product names, geographic names, and important words in titles.
- Use end punctuation for sentences, including periods, question marks, and exclamation points.
- Use commas in dates and to separate single words in a series.
- Use conventional spelling for words with common spelling patterns and for common irregular words.
- Use phonetic spellings for untaught words, drawing on phonemic awareness and spelling conventions.
- Generalize learned spelling patterns when writing words (e.g., *cage* → *badge*; *boy* → *boil*; *paper* → *copper*).

### Strand: Determination of Word Meanings

- Sort words into categories (e.g., colors, clothing) to gain a sense of the concepts the categories represent (note the similar concepts in Chinese except for terms to use in English).
- Determine or clarify the meaning of unknown or multiple-meaning words through the use of one or more strategies, such as understanding how the word is used in a sentence; analyzing the word's sounds, spelling, and meaningful parts; and consulting glossaries or beginning dictionaries, both print and digital.
- Use common affixes in English as a clue to the meaning of an unknown word.
- Define words by category and by one or more key attributes.
- Demonstrate understanding of the concept of multiple-meaning words (e.g., *match, kind, play*) by identifying meanings of some grade-appropriate examples of such words.

Strand: Understanding Word Relationships

- Build real-life connections between words and their use (e.g., note places at home that are *cozy*).
- Distinguish shades of meaning among verbs differing in manner (e.g., *look, peek, glance, stare, glare, scowl*) and adjectives differing in intensity (e.g., *large, gigantic*) by defining, choosing, or acting out the meanings.

## Appendix II-g: Draft Assessment Calendar for Grades K-5

ASSESSMENT	DATE
Fall Benchmarks – Mandarin Language Arts (Speaking, Reading, Writing), Math	First 30 days of instruction
English Reading – DRA, SRI or Observation Survey for grades 2-5	October 15
Fall Benchmarks – Mandarin Language Arts (Speaking, Reading, Writing), Math	By Winter Break
English Reading – DRA, SRI or Observation Survey for grades 2-5	February 15
Spring Benchmarks – Mandarin Language Arts (Speaking, Reading, Writing), Math	4 weeks before CST
English Reading – DRA, SRI or Observation Survey for grades 2-5	June 1

## Appendix II-h: Draft Code of Conduct and Behavior Plan

### *Yu Ming Behavior Expectations*

Our school will be a safe and orderly place for our students to receive a quality education. Students, parents, and school staff must share equal responsibility for creating the best possible educational setting. Students are responsible for their own actions and receive the consequences, both positive and negative, of those actions. Students will be held accountable for their behavior in school and during any school sponsored activity. School staff will be responsible for positive reinforcement, consistency, and modeling appropriated behavior. Parents/guardians are encouraged to discuss their student's behavior with the teacher or Principal at any time. Students will learn to be effective decision-makers and problem-solvers who the School's Core Values. Open, honest communication between students, parents, and school staff is crucial.

### *Schoolwide Expectations for Student Success*

The following rules that apply in all classrooms and public spaces in the school at all times:

- 1) Follow directions from adults
- 2) Dress like a scholar. Wear the school uniform with pride.
- 3) Be respectful of others in word and deed. Use positive language instead of teasing, bullying, profanity, or insults. Be kind to others.
- 4) Keep hands, feet, and objects to yourself
- 5) Take care of the school and other peoples' property. No littering, gum chewing, or graffiti.

### *Items Not Allowed on Campus:*

Certain items are not allowed at School because they interfere with learning. If brought to campus, they will be taken from you. All confiscated items will be kept until picked up by a parent/guardian. These items include:

- (1) Radios, tape, CD, or MP3 players
- (2) Electronic games
- (3) Cell phones are permitted only for contacting a parent or guardian after school hours and should be kept turned off in a students' backpack or storage space.

### *Classroom Discipline*

Teachers are responsible for the day-to-day behavior management in their classrooms. Teachers may use a variety of positive incentives to encourage appropriate behavior, including tokens, small non-food prizes (e.g. stickers), extra time on preferred activities, public recognition, etc.. Teachers may use a variety of escalating disciplinary options to address minor classroom misconduct such as: failure to follow classroom/school rules, chewing gum, passing notes, making noises, minor inappropriate conflicts with others, etc. These disciplinary practices include: verbal warning, time-out area, detention during lunch or after school, contact with parent/guardian, Student Study Team (SST) referral, written assignment, and discipline referral to the Principal.

### *Disciplinary Probation*

In cases of recurring or more severe behavior concerns (i.e. after suspension, a serious, and/or repeated disciplinary problem), after teachers' measures have been exhausted, the School Principal may institute disciplinary probation, a period during which a student's behavior is actively monitored and evaluated to determine the student's right to remain at the School. The Disciplinary Probation period is an attempt to help the student realize that all choices carry consequences, is designed to help the student correct his/her behavior, and closely involves the parent/guardian, student, and school staff.

**Appendix II-i: Letter to the El Dorado County Office of Education SELPA Director**

September 1, 2010

Emi Johnson  
SELPA Senior Director  
El Dorado County Office of Education  
Placerville, CA 95667

Dear Ms. Johnson,

Please accept this letter as the formal notification that Yu Ming Charter School intends to seek admission into the EDCOE Charter SELPA as an LEA for the purpose of special education. Yu Ming Charter School will be a two-way Mandarin language immersion program, and it is our belief that being members of the EDCOE SELPA will enable us to most effectively serve our students who need special education services.

We have described this intent in our petition for a Countywide Benefit charter with the Alameda County Office of Education, submitted in August 2010. We will be completing the appropriate application documents in accordance with your published guidelines.

Thank you for your consideration.

Sincerely,

The Founding Families of Yu Ming Charter School

## **Appendix II-j: Section 504 Policy and Procedures**

### *YU MING CHARTER SCHOOL: BOARD POLICY*

#### *IDENTIFICATION, EVALUATION AND EDUCATION UNDER SECTION 504*

Charter School Policy # \_\_\_\_\_

Date Approved: \_\_\_\_\_

The Board of Directors of Yu Ming Charter School recognizes the need to identify and evaluate students with disabilities in order to provide them with a free, appropriate public education and its legal responsibility to ensure that “no qualified person with a disability shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” This policy and the related administrative regulation has been developed to ensure the implementation of Section 504 of the Rehabilitation Act of 1973 (“Section 504”), and its implementing regulations as amended, which pertains to public schools. The intent is to ensure that all students with disabilities, who are eligible under Section 504, are identified and evaluated and have access to a free, appropriate public education (“FAPE”).

Under Section 504, individuals with physical or mental impairments that substantially limit one or more major life activities, including learning, are entitled to receive regular or special education and/or related aids and services designed to meet their individual needs as adequately as the needs of nondisabled students are met. Major Life Activities include functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. Students may be disabled and entitled to services under Section 504 even though they are not eligible for services pursuant to the Individuals with Disabilities in Education Act Improvement Act of 2004 (“IDEA”).

The Principal shall ensure that this policy and set of procedures is implemented and followed. Whenever there is reason to believe that, because of a disability, a student needs regular or special education and/or related aids and services (and the student has not been found eligible under IDEA) that student will be evaluated under this policy’s administrative regulation.

A Section 504 Team will be convened to determine the student’s need for regular or special education and/or related aids and services. The 504 Team will include persons knowledgeable about the Section 504 standards, the student’s individual needs and school history, the meaning of evaluation data, and placement options. The student’s parent/guardian shall be invited to participate in this 504 Team and shall receive notice of procedural safeguards guaranteed by law. If Yu Ming Charter School does not assess a student after a parent has requested an assessment, Yu Ming Charter School shall provide notice of the parent’s/guardian’s procedural safeguards.

If the student, due to disability, is found to require regular or special education and/or related aids and services under Section 504, the Section 504 Team shall develop a 504 plan for the provision of such services to the student. The student shall be educated with nondisabled students to the maximum extent appropriate to the student’s individual needs. The student’s parent/guardian shall be provided a copy of the 504 plan and shall receive notice of procedural safeguards guaranteed by law. Yu Ming Charter School shall periodically review the student’s progress and placement.

Yu Ming Charter School will implement this policy through its corresponding Administrative Regulations.

*YU MING CHARTER SCHOOL: ADMINISTRATIVE REGULATIONS*  
*IDENTIFICATION, EVALUATION AND EDUCATION UNDER SECTION 504*

Charter School Policy # \_\_\_\_\_

Date Approved: \_\_\_\_\_

A. Definitions

1. **Academic Setting** – the regular, educational environment operated by Yu Ming Charter School (the “Charter School”)
2. **Individual with a Disability under Section 504** – An individual who:
  - a. has a physical or mental impairment that substantially limits one or more major life activities;
  - b. has a record of such an impairment; or
  - c. is regarded as having such an impairment.
3. **Evaluation** – procedures used to determine whether a student has a disability as defined within, and the nature and extent of the services that the student needs. The term means procedures used selectively with an individual student and does not include basic tests administered to, or procedures used with, all students in a school, grade or class.
4. **504 Plan** – is a plan developed to identify and document the student’s needs for regular or special education and related aids and services for participation in educational programs, activities, and school –sponsored events.
5. **Free Appropriate Public Education (“FAPE”)** – the provision of regular or special education and related aids and services that are designed to meet the individual needs of persons with disabilities as adequately as the needs of persons without disabilities are met.
6. **Major Life Activities** - Functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.
7. **Physical or Mental Impairment** –
  - a. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory; including speech organs; cardiovascular; reproductive; digestive; genitor-urinary; hemic and lymphatic; skin; and endocrine; or
  - b. Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.
8. **504 Coordinator** – The School Principal shall serve as the Charter School’s Section 504 coordinator. The parents or guardians may request a Section 504 due process hearing from, or direct any questions or concerns to the 504 Coordinator.
9. **Has a record of such an impairment** - means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.
10. **Is regarded as having an impairment** - means
  - (A) has a physical or mental impairment that does not substantially limit major life activities but that is treated by a recipient as constituting such a limitation;
  - (B) has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or
  - (C) has none of the impairments defined in paragraph (j)(2)(i) of this section but is treated by a recipient as having such an impairment.

B. Referral, Assessment and Evaluation Procedures



1. The Charter School will evaluate any student who, because of disability, needs or is believed to need regular or special education and/or related aids and services.
2. A student may be referred by anyone, including a parent/guardian, teacher, other school employee or community agency, for consideration as to whether the student qualifies as a student with disabilities under Section 504. Requests for evaluation shall be made in writing, and a copy of said request will remain in the student's file regardless of the final determination. This referral should be made to the Section 504 Coordinator who will convene a 504 Team. Any requests made to another Charter School employee will be forwarded to the Section 504 Coordinator.
3. The Charter School has the responsibility to ensure that students with disabilities are evaluated. Therefore, it is important that students who are or may be disabled are referred to the Section 504 Coordinator so that the assessment process is initiated.
4. The 504 Team convened by the Section 504 Coordinator will be composed of the student's parents/guardians and other persons knowledgeable about the student (such as the student's regular education teachers), the student's school history, the student's individual needs (such as a person knowledgeable about the student's disabling condition), the meaning of evaluation data, the options for placement and services, and the legal requirements for least restrictive environment and comparable facilities.
5. The 504 Team shall promptly consider the referral and determine what assessments are needed in all suspected areas of disability to evaluate whether the student is a student with a disability under Section 504 and what special needs the student may have. The decision regarding what assessments shall be undertaken shall be based on a review of the student's school records (including academic, social and behavioral records), any relevant medical records, and the student's needs. Students requiring assessment shall be provided appropriate assessments administered by qualified assessment specialists.
6. The 504 Team will consider the following information in its evaluation of the student:
  - a. Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel;
  - b. Tests and other evaluation materials including those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient; and
  - c. Tests are selected and administered so as to best ensure that, when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure.)
7. The evaluation of the student must be sufficient for the 504 Team to accurately and completely describe:
  - (a) the nature and extent of the disabilities;
  - (b) the student's special needs;
  - (c) the impact upon the student's education; and
  - (d) what regular or special education and/or related aids and services are appropriate to ensure that the student receives a free appropriate public education. All significant factors relating to the learning process for that student, including adaptive behavior and cultural and language background, must be considered. The evaluation may include, but is not limited to, classroom and playground observation, performance-based testing, academic assessment information, and data offered by the student's teachers and parent/guardian.
8. The parents/guardians shall be given an opportunity in advance of 504 Team meetings to examine assessment results and all other relevant records.

9. If a request for evaluation is denied, the 504 Team shall inform the parents/guardians in writing of this decision and of their procedural rights as described below.

C. 504 Plan

1. When a student is identified as disabled within the meaning of Section 504, the 504 Team shall determine what, if any, services are needed to ensure that the student receives a free, appropriate public education (“FAPE”).
2. The 504 Team responsible for making the placement decision shall include the parents/guardians and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options.
3. For each identified disabled student, the 504 Team will develop a 504 Plan describing the student’s disability and the regular or special education and/or related aids and services needed. The Plan will specify how the special education and/or related aids and services will be provided to the disabled student and by whom. The 504 Plan will also identify the person responsible for ensuring that all the components of the Plan are implemented.
4. The student’s teacher and any other staff who are to provide services to the student or who are to make modifications in the classroom for the student shall be informed of the services or modifications necessary for the student and, if appropriate, provided a copy of the 504 Plan. A copy of this plan shall be kept in the student’s cumulative file in a manner that limits access to those persons involved in the 504 process and/or the provision of services and modifications.
5. The disabled student shall be placed in the regular education environment unless it is demonstrated that the student’s needs cannot be met in the regular education environment with supplementary aids and services. The disabled student shall be educated with students who are not disabled to the maximum extent appropriate to his/her individual needs.
6. The referral, assessment, evaluation and placement process will be completed within a reasonable time. It is generally not reasonable to exceed 50 school days in completing this process.
7. The parents/guardians shall be notified in writing of the final decision concerning the student’s identification as a person with disabilities, the educational program and services to be provided, if any, and of the Section 504 procedural safeguards, as described below, including the right to an impartial hearing to challenge the decision.
8. If the 504 Team determines that the student is disabled but that no special services are necessary for the student, the 504 Plan shall reflect the identification of the student as a disabled person under Section 504 and shall state the basis for the decision that no special services are presently needed.
9. The 504 Plan shall include a schedule for annual review of the student’s needs, and indicate that this review may occur more frequently at the request of the parent/guardian or school staff.

D. Review of the Student’s Progress

1. The 504 Team shall monitor the progress of the disabled student and the effectiveness of the student’s 504 Plan. According to the review schedule set out in the student’s 504 Plan, the 504 Team shall annually determine whether the services and modifications are appropriate.
2. A reevaluation of the student’s needs shall be conducted before any subsequent significant change in placement.

E. Procedural Safeguards

1. Parents/guardians shall be notified in writing of all decisions regarding the identification,

evaluation or educational placement of students with disabilities or suspected disabilities. Notifications shall include a statement of their rights to:

- Examine relevant records
  - Have an impartial hearing with an opportunity for participation by the parents/guardians and their counsel
  - Have the right to file a Uniform Complaint pursuant to school policy
  - Seek review in federal court if the parents/guardians disagree with the hearing decision.
2. Notifications shall also set forth the procedures for requesting an impartial hearing. Requests shall be made to the Principal, 504 Coordinator c/o Yu Ming Charter School, PO Box 10005, Oakland CA 94610. Notifications shall advise that reimbursement for attorney's fees is available only as authorized by law.
  3. The Principal shall maintain a list of impartial hearing officers who are qualified and willing to conduct Section 504 hearings. To ensure impartiality, such officers shall not be employed by or under contract with any district within El Dorado County SELPA or the County Office of Education in any capacity other than that of hearing officer and shall not have any professional or personal involvement that would affect their impartiality or objectivity in the matter.
  4. If a parent/guardian disagrees with the identification, evaluation or educational placement of a student with disabilities under Section 504, he/she may request a hearing to initiate due process procedures. The parent/guardian shall set forth in writing his/her request for a hearing. A request for hearing should include:
    - The specific decision or action with which the parent/guardian disagrees.
    - The changes to the 504 Plan the parent/guardian seeks.
    - Any other information the parent/guardian believes is pertinent.
  5. Within 5 calendar days of receiving the parent/guardian's request for a hearing, the Charter School may offer the parent/guardian an optional alternative dispute resolution process. However, the timeline for the hearing shall remain in effect unless it is extended by mutual written agreement of the parent/guardian and the Charter School. Alternative dispute resolution options include:
    - Mediation by a neutral third party.
    - Review of the 504 Plan by the Principal or designee.
  6. Within 10 calendar days of receiving the parent/guardian's request, the Principal or designee shall select an impartial hearing officer. This 10 days may be extended for good cause or by mutual agreement of the parent/guardian and Principal.
  7. Within 35 calendar days of the selection of the hearing officer, the due process hearing shall be conducted. This 35 days may be extended for good cause or by mutual agreement of the parent/guardian and Principal.
  8. The parent/guardian and the Charter School shall be afforded the rights to:
    - Be accompanied and advised by counsel and by individuals with special knowledge or training related to the individual needs of students who are qualified as disabled under Section 504.
    - Present written and oral evidence.
    - Question and cross-examine witnesses.
    - Receive written findings by the hearing officer.
  9. The hearing officer shall issue a written decision within 10 calendar days of the hearing.
  10. If desired, either party may seek a review of the hearing officer's decision by a federal court. The decision shall be implemented unless the decision is stayed, modified or overturned by a court.

*Yu Ming Charter School*

*PARENT/STUDENT RIGHTS IN IDENTIFICATION, EVALUATION, ACCOMMODATION AND PLACEMENT*  
(Section 504 of the Rehabilitation Act of 1973)

The following is a description of the rights granted by federal law to students with disabilities. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions. Please keep this explanation for future reference.

You have the right to:

1. Have your child take part in and receive benefits from public education programs without discrimination because of his/her disabling condition.
2. Have the Charter School advise you of your rights under federal law.
3. Receive notice with respect to Section 504 identification, evaluation and/or placement of your child.
4. Have your child receive a free appropriate public education. This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to have the Charter School make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
5. Have your child educated in facilities and receive services comparable to those provided to non-disabled students.
6. Have your child receive special education and related services if he/she is found to be eligible under the Individuals with Disabilities Education Act (IDEA) [20 U.S.C. Chapter 33, P.L. 101-4761.
7. Have an evaluation, educational recommendation, and placement decision developed by a team of persons who are knowledgeable of the student, the assessment data, and any placement options.
8. Have your child be given an equal opportunity to participate in non-academic and extracurricular activities offered by the Charter School.
9. Examine all relevant records relating to decisions regarding your child's Section 504 identification, evaluation, educational program, and placement.
10. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
11. Obtain a response from the Charter School to reasonable requests for explanations and interpretations of your child's records.
12. Request amendment of your child's educational records if there is reasonable cause to believe they are inaccurate, misleading or otherwise in violation of the privacy rights of your child. If the Charter School refuses this request for amendment, the Charter School shall notify you within a reasonable time and advise you of your right to an impartial hearing.
13. Request mediation or file a grievance in accordance with the Charter School's Section 504 mediation grievance and hearing procedures.
14. Request an impartial hearing regarding the Section 504 identification, evaluation, or placement of your child. You and the student may take part in the hearing and have an attorney represent you.
15. File a formal complaint pursuant to the Charter School's Uniform Complaint Policy and Procedures.
16. File a formal complaint with the U.S. Department of Education.

Office for Civil Rights, Region IX  
50 Beale Street, Suite 7200  
San Francisco, CA 94105  
(415) 486-5555

Please contact the Principal, 504 Coordinator, c/o Yu Ming Charter School, P.O. Box 10005, Oakland, CA 94610 with any questions regarding the information contained herein.

## Appendix II-k: Student Study Team (SST) Approach

The Student Study Team (SST) is an efficient and effective way to bring together all resources, human and programmatic, to support students having difficulties in regular classes. This is a concentrated solution-seeking meeting where all the needed persons, including the student and parent, are present at the same time. The SST is an expression of the school's concern for students and provides a supportive atmosphere for families to become actively involved in implementing strategies designed to help students.

The goals of the SST are to:

- Work with the student and family to identify causes of poor academic performance, disruptive behavior, and potential developmental problems
- Work with the student and family to identify viable interventions that could occur before a student's poor academic performance results in severe underperformance or disciplinary problems
- Discuss a variety of academic interventions and/or positive behavioral reinforcements and develop strategies that have a high likelihood of positive academic and behavior performance
- Inform parent and student of the referral process, where the student is in the process and the consequences of further poor academic performance and/or disruptive behavior
- Student study teams are also established to fulfill requirements of current federal and state legislation. These laws require that:
  - Regular classroom intervention attempts must be documented before a student can be referred for special education services.
  - Section 504 accommodation plans must be available for those children not eligible for special education services, but who qualify under Section 504. The SST is a multi-disciplinary team with this capacity.

# Appendix III-a: Draft Standards-based Report Card.

**育明中英雙語學院**  
**Yu Ming Charter School**  
**Kindergarten Report Card for \_\_\_\_ - \_\_\_\_ School Year**

Student Name: \_\_\_\_\_ Teacher Name: \_\_\_\_\_

Mandarin - Reading	Q1	Q2	Q3	Q4
1.0 Concepts about Print				
1.0 Awareness of Characters and Radicals				
1.0 Word Recognition				
1.0 Vocabulary and Concept Development				
Mandarin - Writing				
1.0 Organization and Focus				
1.0 Core characters				
Mandarin - Written and Oral Language Conventions:				
1.0 Sentence Structure				
1.0 Punctuation				
Mandarin - Listening and Speaking:				
1.0 Comprehension				
2.0 Speaking Applications				
Math - Number Sense	Q1	Q2	Q3	Q4
1.0 Understands relationship between numbers and quantities				
2.0 Understands and describes simple addition and subtraction				
3.0 Uses estimation strategies in computation and problem solving involving numbers is				
Math - Algebra and Functions				
1.0 Sorts and Classifies Objects				
Math - Measurement and Geometry				
1.0 Understands the concept of time and units to measure it- Understands that objects				
2.0 Identifies common objects in the environment and describes objects' geometric				
Math - Statistics, Data Analysis, and Probability				
1.0 Collects information about objects in the environment				
Math - Mathematical Reasoning				
1.0 Makes decisions about how to set up a problem				
2.0 Solves problems in reasonable ways and justifies reasoning				
English - Reading	Q1	Q2	Q3	Q4
1.0 Concepts about Print				
1.0 Phonemic Awareness				
1.0 Decoding and Word Recognition				
1.0 Vocabulary and Concept Development				
2.0 Recognizes and understands structural features of informational materials				
2.0 Comprehends and analyzes grade level appropriate text (fiction / non-fiction)				
English - Writing Strategies:				
1.0 Organization and Focus				
1.0 Penmanship				
English - Written and Oral Language Conventions:				
1.0 Sentence Structure				
1.0 Punctuation				
1.0 Capitalization				
1.0 Spelling				
English - Listening and Speaking:				
1.0 Comprehension				
2.0 Speaking Applications (Genres and Their Characteristics)				

Key: 1=Far Below Basic; 2=Below Basic; 3=Basic; 4=Proficient; 5=Advanced

育明中英雙語學院  
Yu Ming Charter School  
Kindergarten Report Card for \_\_\_\_-\_\_\_\_ School Year

Student Name: \_\_\_\_\_ Teacher Name: \_\_\_\_\_

Special Subjects	Q1	Q2	Q3	Q4
Physical Education				
Art				
Music				

Core Values	Q1	Q2	Q3	Q4
Compassion				
Resilience				
Ethics				
Wisdom				

Comments: Quarter 1

Comments: Quarter 2

Comments: Quarter 3

Comments: Quarter 4

Key: 1=Far Below Basic; 2=Below Basic; 3=Basic; 4=Proficient; 5=Advanced

## Appendix IV-a: Articles of Incorporation

**ARTICLES OF INCORPORATION**  
OF  
**YU MING CHARTER SCHOOL**  
(A California Nonprofit Public Benefit Corporation)

**I.**

The name of the Corporation shall be Yu Ming Charter School.

**II.**

The Corporation is a nonprofit public benefit corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for public and charitable purposes. The specific purposes for which this Corporation is organized are to manage, operate, guide, direct and promote Yu Ming Charter School.

The Corporation is organized and operated exclusively for educational and charitable purposes pursuant to and within the meaning of Section 501(c)(3) of the Internal Revenue Code or the corresponding provision of any future United States Internal Revenue Law. Notwithstanding any other provision of these articles, the Corporation shall not, except to an insubstantial degree, engage in any other activities or exercise of power that do not further the purposes of the Corporation. The Corporation shall not carry on any other activities not permitted to be carried on by: (a) a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code; or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

**III.**

The name and address in the State of California of this Corporation's initial agent for service of process is:

**National Registered Agents, Inc.**  
2875 Michelle Drive  
Suite 100  
Irvine, CA 92606

**IV.**

All corporate property is irrevocably dedicated to the purposes set forth in the second article above. No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to any of its directors, members, trustees, officers or other private persons except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered, and to make payments and distributions in furtherance of the purposes set forth in Article II.

No substantial part of the activities of the Corporation shall consist of the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not



participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.

Subject to the provisions of the nonprofit public benefit provisions of the Nonprofit Corporation Law of the State of California, and any limitations in the articles or bylaws relating to action to be approved by the members or by a majority of all members, if any, the activities and affairs of this Corporation shall be conducted and all the powers shall be exercised by or under the direction of the board of directors.

The number of directors shall be as provided for in the bylaws. The bylaws shall prescribe the qualifications, mode of election, and term of office of directors.

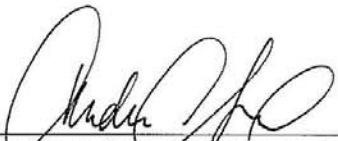
**V.**

The authorized number and qualifications of members of the corporation, if any, the different classes of membership, the property, voting and other rights and privileges of members, and their liability for dues and assessments and the method of collection thereof, shall be set forth in the bylaws.

**VI.**

Upon the dissolution or winding up of the Corporation, its assets remaining after payment of all debts and liabilities of the Corporation, shall be distributed to a nonprofit fund, foundation, or association which is organized and operated exclusively for educational, public or charitable purposes and which has established its tax exempt status under Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction of the county in which the principal office of the Corporation is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine which are organized and operated exclusively for such purposes.

Dated: July 2, 2010

  
\_\_\_\_\_  
Andrea C. Sexton, Incorporator

## Business Entity Detail

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Data is updated weekly and is current as of Friday, August 06, 2010. It is not a complete or certified record of the entity.

Entity Name:	YU MING CHARTER SCHOOL
Entity Number:	C3307211
Date Filed:	07/07/2010
Status:	ACTIVE
Jurisdiction:	CALIFORNIA
Entity Address:	2875 MICHELLE DR STE 100
Entity City, State, Zip:	IRVINE CA 92606
Agent for Service of Process:	NATIONAL REGISTERED AGENTS, INC.
Agent Address:	2875 MICHELLE DR STE 100
Agent City, State, Zip:	IRVINE CA 92606

\* Indicates the information is not contained in the California Secretary of State's database.

- If the status of the corporation is "Surrender," the agent for service of process is automatically revoked. Please refer to California Corporations Code [section 2114](#) for information relating to service upon corporations that have surrendered.
- For information on checking or reserving a name, refer to [Name Availability](#).
- For information on ordering certificates, copies of documents and/or status reports or to request a more extensive search, refer to [Information Requests](#).
- For help with searching an entity name, refer to [Search Tips](#).
- For descriptions of the various fields and status types, refer to [Field Descriptions and Status Definitions](#).

**Appendix IV-b: Draft Bylaws**

**BYLAWS**  
**OF**  
**Yu Ming Charter School**  
(A California Nonprofit Public Benefit Corporation)

**ARTICLE I**  
**NAME**

Section 1. NAME. The name of this corporation is Yu Ming Charter School.

**ARTICLE II**  
**PRINCIPAL OFFICE OF THE CORPORATION**

Section 1. PRINCIPAL OFFICE OF THE CORPORATION. The principal office for the transaction of the activities and affairs of this corporation is 706 Mandana Blvd, State of California. The Board of Directors may change the location of the principal office. Any such change of location must be noted by the Secretary on these bylaws opposite this Section; alternatively, this Section may be amended to state the new location.

Section 2. OTHER OFFICES OF THE CORPORATION. The Board of Directors may establish branch or subordinate offices at any place or places where this corporation is qualified to conduct its activities.

**ARTICLE III**  
**GENERAL AND SPECIFIC PURPOSES; LIMITATIONS**

Section 1. GENERAL AND SPECIFIC PURPOSES. The purpose of this corporation is to manage, operate, guide, direct and promote the Yu Ming Charter School (“Charter School”), a California public charter school. Also in the context of these purposes, the Corporation shall not, except to an insubstantial degree, engage in any other activities or exercise of power that do not further the purposes of the Corporation.

The Corporation shall not carry on any other activities not permitted to be carried on by: (a) a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code; or (b) a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code. No substantial part of the activities of the Corporation shall consist of the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distributing of statements) any political campaign on behalf of or in opposition to any candidate for public office.

**ARTICLE IV**  
**CONSTRUCTION AND DEFINITIONS**

Section 1. CONSTRUCTION AND DEFINITIONS. Unless the context indicates otherwise, the general provisions, rules of construction, and definitions in the California Nonprofit Corporation Law shall govern the construction of these bylaws. Without limiting the generality of the preceding sentence, the

masculine gender includes the feminine and neuter, the singular includes the plural, and the plural includes the singular, and the term “person” includes both a legal entity and a natural person.

## **ARTICLE V DEDICATION OF ASSETS**

Section 1. DEDICATION OF ASSETS. This corporation’s assets are irrevocably dedicated to public benefit purposes as set forth in the Charter School’s Charter. No part of the net earnings, properties, or assets of the corporation, on dissolution or otherwise, shall inure to the benefit of any private person or individual, or to any director or officer of the corporation. On liquidation or dissolution, all properties and assets remaining after payment, or provision for payment, of all debts and liabilities of the corporation shall be distributed to a nonprofit fund, foundation, or corporation that is organized and operated exclusively for charitable purposes and that has established its exempt status under Internal Revenue Code section 501(c)(3).

## **ARTICLE VI CORPORATIONS WITHOUT MEMBERS**

Section 1. CORPORATIONS WITHOUT MEMBERS. This corporation shall have no voting members within the meaning of the Nonprofit Corporation Law. The corporation’s Board of Directors may, in its discretion, admit individuals to one or more classes of nonvoting members; the class or classes shall have such rights and obligations as the Board of Directors finds appropriate.

## **ARTICLE VII BOARD OF DIRECTORS**

Section 1. GENERAL POWERS. Subject to the provisions and limitations of the California Nonprofit Public Benefit Corporation Law and any other applicable laws, and subject to any limitations of the articles of incorporation or bylaws, the corporation’s activities and affairs shall be managed, and all corporate powers shall be exercised, by or under the direction of the Board of Directors (“Board”). The Board may delegate the management of the corporation’s activities to any person(s), management company or committees, however composed, provided that the activities and affairs of the corporation shall be managed and all corporate powers shall be exercised under the ultimate direction of the Board.

Section 2. SPECIFIC POWERS. Without prejudice to the general powers set forth in Section 1 of these bylaws, but subject to the same limitations, the Board of Directors shall have the power to:

- a. Appoint and remove, at the pleasure of the Board of Directors, all corporate officers, agents, and employees; prescribe powers and duties for them as are consistent with the law, the articles of incorporation, and these bylaws; fix their compensation; and require from them security for faithful service.
- b. Change the principal office or the principal business office in California from one location to another; cause the corporation to be qualified to conduct its activities in any other state, territory, dependency, or country; conduct its activities in or outside California; and designate a place in California for holding any meeting of members.
- c. Borrow money and incur indebtedness on the corporation’s behalf and cause to be executed and delivered for the corporation’s purposes, in the corporate name, promissory notes, bonds,

debentures, deeds of trust, mortgages, pledges, hypothecations, and other evidences of debt and securities.

- d. Adopt and use a corporate seal; prescribe the forms of membership certificates; and alter the forms of the seal and certificates.
- e. Define or refine, consistent with the Charter School's charter, the corporation's mission, values and vision.
- f. Set strategic direction.
- g. Adopt policies to ensure that the Charter School is run effectively, legally, and ethically.
- h. Monitor the operational budget and finances for long-term viability.
- i. See that adequate funds are secured for the operating and capital needs of the Charter School.

Section 3. DESIGNATED DIRECTORS AND TERMS. The number of directors shall be no less than five (5) and no more than eight (8) unless changed by amendments to these bylaws and to the Charter School's charter. As stated in the charter, the maximum number of directors would include up to seven (7) directors, and one Board seat reserved for a representative of the charter authorizer. All directors shall be designated by the existing Board of Directors.

Except for the initial Board of Directors, each director shall hold office unless otherwise removed from office in accordance with these bylaws for two (2) years and until a successor director has been designated and qualified.

The initial Board of Directors shall be composed of five (5) members serving staggered terms of service of either one (1) or two (2) years, to be determined by Board resolution. The initial Board of Directors shall be as follows:

<u>NAME</u>	<u>EXPIRATION OF TERM</u>
Gloria Lee	To be set by resolution
Wynee Sade	To be set by resolution
Chrissy Schwinn	To be set by resolution
Jay Iglesias	To be set by resolution
Melissa Tom	To be set by resolution

Section 4. RESTRICTION ON INTERESTED PERSONS AS DIRECTORS. No more than 49 percent of the persons serving on the Board of Directors may be interested persons. An interested person is (a) any person compensated by the corporation for services rendered to it within the previous 12 months, whether as a full-time or part-time employee, independent contractor, or otherwise, excluding any reasonable compensation paid to a director as director; and (b) any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, or father-in-law of such person. However, any violation of this paragraph shall not affect the validity or enforceability of transactions entered into by the corporation. The Board may adopt other policies circumscribing potential conflicts of interest.

Section 5. DIRECTORS' TERM. Each director shall hold office for two (2) years and until a successor director has been designated and qualified.

Section 6. NOMINATIONS BY COMMITTEE. The Chairman of the Board of Directors or, if none, the President will appoint a committee to designate qualified candidates for election to the Board of Directors at least thirty (30) days before the date of any election of directors. The nominating committee shall make its report at least seven (7) days before the date of the election or at such other time as the Board of Directors may set and the Secretary shall forward to each Board member, with the notice of meeting required by these bylaws, a list of all candidates nominated by committee.

Section 7. USE OF CORPORATE FUNDS TO SUPPORT NOMINEE. No corporate funds may be expended to support a nominee without the Board's authorization.

Section 8. EVENTS CAUSING VACANCIES ON BOARD. A vacancy or vacancies on the Board of Directors shall occur in the event of (a) the death, resignation, or removal of any director; (b) the declaration by resolution of the Board of Directors of a vacancy in the office of a director who has been convicted of a felony, declared of unsound mind by a court order, or found by final order or judgment of any court to have breached a duty under California Nonprofit Public Benefit Corporation Law, Chapter 2, Article 3; (c) the increase of the authorized number of directors; or (d) the failure, at any meeting at which any director or directors are to be elected, to elect the number of directors required to be elected at such meeting; and (e) termination of employment with the Charter School.

Section 9. RESIGNATION OF DIRECTORS. Except as provided below, any director may resign by giving written notice to the Chairman of the Board, if any, or to the President, or the Secretary, or to the Board. The resignation shall be effective when the notice is given unless the notice specifies a later time for the resignation to become effective. If a director's resignation is effective at a later time, the Board of Directors may elect a successor to take office as of the date when the resignation becomes effective.

Section 10. DIRECTOR MAY NOT RESIGN IF NO DIRECTOR REMAINS. Except on notice to the California Attorney General, no director may resign if the corporation would be left without a duly elected director or directors.

Section 11. REMOVAL OF DIRECTORS. Any director may be removed, with or without cause, by the vote of the majority of the entire Board of Directors at a special meeting called for that purpose, or at a regular meeting, provided that notice of that meeting and of the removal questions are given in compliance with the provisions of the Ralph M. Brown Act. (Chapter 9 (commencing with Section 54950) of Division 2 of Title 5 of the Government Code). Any vacancy caused by the removal of a director shall be filled as provided in Section 12.

Section 12. VACANCIES FILLED BY BOARD. Vacancies on the Board of Directors may be filled by approval of the Board of Directors or, if the number of directors then in office is less than a quorum, by (a) the unanimous consent of the directors then in office, (b) the affirmative vote of a majority of the directors then in office at a meeting held according to notice or waivers of notice complying with Corporations Code Section 5211, or (c) a sole remaining director.

Section 13. NO VACANCY ON REDUCTION OF NUMBER OF DIRECTORS. Any reduction of the authorized number of directors shall not result in any directors being removed before his or her term of office expires.

Section 14. PLACE OF BOARD OF DIRECTORS MEETINGS. Meetings shall be held at the principal office of the Corporation. The Board of Directors may designate that a meeting be held at any place within California that has been designated by resolution of the Board of Directors or in the notice of the meeting. All meetings of the Board of Directors shall be called, held and conducted in accordance with the terms and provisions of the Ralph M. Brown Act, California Government Code Sections 54950, et seq., as said chapter may be modified by subsequent legislation.

Section 15. MEETINGS; ANNUAL MEETINGS. All meetings of the Board of Directors and its committees shall be called, noticed, and held in compliance with the provisions of the Ralph M. Brown Act ("Brown Act"). (Chapter 9 (commencing with Section 54950) of Division 2 of Title 5 of the Government Code).

The Board of Directors shall meet annually for the purpose of organization, appointment of officers, and the transaction of such other business as may properly be brought before the meeting. This meeting shall be held at a time, date, and place as may be specified and noticed by resolution of the Board of Directors.

Section 16. REGULAR MEETINGS. Regular meetings of the Board of Directors, including annual meetings, shall be held at such times and places as may from time to time be fixed by the Board of Directors. At least 72 hours before a regular meeting, the Board of Directors, or its designee shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting.

Section 17. SPECIAL MEETINGS. Special meetings of the Board of Directors for any purpose may be called at any time by the Chairman of the Board of Directors, if there is such an officer, or a majority of the Board of Directors. If a Chairman of the Board has not been elected then the President is authorized to call a special meeting in place of the Chairman of the Board. The party calling a special meeting shall determine the place, date, and time thereof.

Section 18. NOTICE OF SPECIAL MEETINGS. In accordance with the Brown Act, special meetings of the Board of Directors may be held only after twenty-four (24) hours notice is given to each director and to the public through the posting of an agenda. Board members shall be notified of special meetings in the following manner:

Any such notice shall be addressed or delivered to each director at the director's address as it is shown on the records of the Corporation, or as may have been given to the Corporation by the director for purposes of notice, or, if an address is not shown on the Corporation's records or is not readily ascertainable, at the place at which the meetings of the Board of Directors are regularly held.

Notice by mail shall be deemed received at the time a properly addressed written notice is deposited in the United States mail, postage prepaid. Any other written notice shall be deemed received at the time it is personally delivered to the recipient or is delivered to a common carrier for transmission, or is actually transmitted by the person giving the notice by electronic means to the recipient. Oral notice shall be deemed received at the time it is communicated, in person or by telephone or wireless, to the recipient or to a person at the office of the recipient whom the person giving the notice has reason to believe will promptly communicate it to the receiver.

The notice of special meeting shall state the time of the meeting, and the place if the place is other than the principal office of the Corporation, and the general nature of the business proposed to be

transacted at the meeting. No business, other than the business the general nature of which was set forth in the notice of the meeting, may be transacted at a special meeting.

Section 19. QUORUM. A majority of the voting directors then in office shall constitute a quorum. If a quorum is present, the affirmative vote of the majority of the voting power represented at the meeting, entitled to vote, and voting on any matter shall be a decision of the Board of Directors. Should there be fewer than a majority of the directors present at any meeting, the meeting shall be adjourned. Voting directors may not vote by proxy.

Section 20. TELECONFERENCE MEETINGS. Members of the Board of Directors may participate in teleconference meetings so long as all of the following requirements of Section 54953 of the Brown Act are complied with:

- a. At a minimum, a quorum of the members of the Board of Directors shall participate in the teleconference meeting from locations within the boundaries of the school district in which the Charter School operates;
- b. All votes taken during a teleconference meeting shall be by roll call;
- c. If the Board of Directors elects to use teleconferencing, it shall post agendas at all teleconference locations with each teleconference location being identified in the notice and agenda of the meeting;
- d. All locations where a member of the Board of Directors participates in a meeting via teleconference must be fully accessible to members of the public and shall be listed on the agenda;<sup>19</sup>
- e. Members of the public must be able to hear what is said during the meeting and shall be provided with an opportunity to address the Board of Directors directly at each teleconference location; and
- f. The agenda shall indicate that members of the public attending a meeting conducted via teleconference need not give their name when entering the conference call.<sup>20</sup>

Section 21. ADJOURNMENT. A majority of the directors present, whether or not a quorum is present, may adjourn any Board of Directors meeting to another time or place. If a meeting is adjourned for more than twenty-four (24) hours, notice of such adjournment to another time or place shall be given, prior to the time schedule for the continuation of the meeting, to the directors who were not present at the time of the adjournment, and to the public in the manner prescribed by any applicable public open meeting law.

Section 22. COMPENSATION AND REIMBURSEMENT. Directors may receive such compensation, if any, for their services as directors or officers, and such reimbursement of expenses, as the Board of Directors may establish by resolution to be just and reasonable as to the corporation at the time that the resolution is adopted.

Section 23. CREATION AND POWERS OF COMMITTEES. The Board, by resolution adopted by a majority of the directors then in office, may create one or more committees, each consisting of two or more voting directors and no one who is not a director, to serve at the pleasure of the Board. Appointments to committees of the Board of Directors shall be by majority vote of the authorized number of directors. The Board of Directors may appoint one or more directors as alternate members of any such

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<sup>19</sup> This means that members of the Board of Directors who choose to utilize their homes or offices as teleconference locations must open these locations to the public and accommodate any members of the public who wish to attend the meeting at that location.

<sup>20</sup> The Brown Act prohibits requiring members of the public to provide their names as a condition of attendance at the meeting.



committee, who may replace any absent member at any meeting. Any such committee shall have all the authority of the Board, to the extent provided in the Board of Directors' resolution, except that no committee may:

- a. Take any final action on any matter that, under the California Nonprofit Public Benefit Corporation Law, also requires approval of the members or approval of a majority of all members;
- b. Fill vacancies on the Board of Directors or any committee of the Board;
- c. Fix compensation of the directors for serving on the Board of Directors or on any committee;
- d. Amend or repeal bylaws or adopt new bylaws;
- e. Amend or repeal any resolution of the Board of Directors that by its express terms is not so amendable or subject to repeal;
- f. Create any other committees of the Board of Directors or appoint the members of committees of the Board;
- g. Expend corporate funds to support a nominee for director if more people have been nominated for director than can be elected; or
- h. Approve any contract or transaction to which the corporation is a party and in which one or more of its directors has a material financial interest.

Section 24. MEETINGS AND ACTION OF COMMITTEES. Meetings and actions of committees of the Board of Directors shall be governed by, held, and taken under the provisions of these bylaws concerning meetings, other Board of Directors' actions, and the Brown Act, if applicable, except that the time for general meetings of such committees and the calling of special meetings of such committees may be set either by Board of Directors' resolution or, if none, by resolution of the committee. Minutes of each meeting shall be kept and shall be filed with the corporate records. The Board of Directors may adopt rules for the governance of any committee as long as the rules are consistent with these bylaws. If the Board of Directors has not adopted rules, the committee may do so.

Section 25. NON-LIABILITY OF DIRECTORS. No director shall be personally liable for the debts, liabilities, or other obligations of this corporation.

Section 26. COMPLIANCE WITH LAWS GOVERNING STUDENT RECORDS. The Charter School and the Board of Directors shall comply with all applicable provisions of the Family Education Rights Privacy Act ("FERPA") as set forth in Title 20 of the United States Code Section 1232g and attendant regulations as they may be amended from time to time.

## **ARTICLE VIII OFFICERS OF THE CORPORATION**

Section 1. OFFICES HELD. The officers of this corporation shall be a President, a Secretary, and a Chief Financial Officer. The corporation, at the Board's direction, may also have a Chairman of the Board, one or more Vice-Presidents, one or more assistant secretaries, one or more assistant treasurers, and such other officers as may be appointed under Article VIII, Section 4, of these bylaws. The officers in addition

to the corporate duties set forth in this Article VIII shall also have administrative duties as set forth in any applicable contract for employment or job specification.

Section 2.        **DUPLICATION OF OFFICE HOLDERS.** Any number of offices may be held by the same person, except that neither the Secretary nor the Chief Financial Officer may serve concurrently as either the President or the Chairman of the Board.

Section 3.        **ELECTION OF OFFICERS.** The officers of this corporation shall be chosen annually by the Board of Directors and shall serve at the pleasure of the Board, subject to the rights of any officer under any employment contract.

Section 4.        **APPOINTMENT OF OTHER OFFICERS.** The Board of Directors may appoint and authorize the Chairman of the Board, the President, or another officer to appoint any other officers that the corporation may require. Each appointed officer shall have the title and authority, hold office for the period, and perform the duties specified in the bylaws or established by the Board.

Section 5.        **REMOVAL OF OFFICERS.** Without prejudice to the rights of any officer under an employment contract, the Board of Directors may remove any officer with or without cause. An officer who was not chosen by the Board of Directors may be removed by any other officer on whom the Board of Directors confers the power of removal.

Section 6.        **RESIGNATION OF OFFICERS.** Any officer may resign at any time by giving written notice to the Board. The resignation shall take effect on the date the notice is received or at any later time specified in the notice. Unless otherwise specified in the notice, the resignation need not be accepted to be effective. Any resignation shall be without prejudice to any rights of the corporation under any contract to which the officer is a party.

Section 7.        **VACANCIES IN OFFICE.** A vacancy in any office because of death, resignation, removal, disqualification, or any other cause shall be filled in the manner prescribed in these bylaws for normal appointment to that office, provided, however, that vacancies need not be filled on an annual basis.

Section 8.        **CHAIRMAN OF THE BOARD.** If a Chairman of the Board of Directors is elected, he or she shall preside at the Board of Directors' meetings and shall exercise and perform such other powers and duties as the Board of Directors may assign from time to time. If there is no President, the Chairman of the Board of Directors shall also be the chief executive officer and shall have the powers and duties of the President of the corporation set forth in these bylaws. If a Chairman of the Board of Directors is elected, there shall also be a Vice-Chairman of the Board of Directors. In the absence of the Chairman, the Vice-Chairman shall preside at Board of Directors meetings and shall exercise and perform such other powers and duties as the Board of Directors may assign from time to time.

Section 9.        **VICE-CHAIRMAN OF THE BOARD.** The Vice-Chairman shall preside at Board of Directors meetings in the absence of the Chairman of the Board and shall exercise and perform such other powers and duties as the Board of Directors may assign from time to time.

Section 10.       **PRESIDENT.** Subject to such supervisory powers as the Board of Directors may give to the Chairman of the Board, if any, and subject to the control of the Board, and subject to President's contract of employment, the President shall be the general manager of the corporation and shall supervise, direct, and control the corporation's activities, affairs, and officers as fully described in any applicable employment contract, agreement, or job specification. The President shall have such other powers and duties as the Board of Directors or the bylaws may require.

Section 11. VICE-PRESIDENTS. If the President is absent or disabled, the Vice-Presidents, if any, in order of their rank as fixed by the Board, or, if not ranked, a Vice-President designated by the Board, shall perform all duties of the President. When so acting, a Vice-President shall have all powers of and be subject to all restrictions on the President. The Vice-Presidents shall have such other powers and perform such other duties as the Board of Directors or the bylaws may require.

Section 12. SECRETARY. The Secretary shall keep or cause to be kept, at the corporation's principal office or such other place as the Board of Directors may direct, a book of minutes of all meetings, proceedings, and actions of the Board and of committees of the Board. The minutes of meetings shall include the time and place that the meeting was held; whether the meeting was annual, regular, special, or emergency and, if special or emergency, how authorized; the notice given; and the names of the directors present at Board of Directors and committee meetings.

The Secretary shall keep or cause to be kept, at the principal California office, a copy of the articles of incorporation and bylaws, as amended to date.

The Secretary shall give, or cause to be given, notice of all meetings of the Board and of committees of the Board of Directors that these bylaws require to be given. The Secretary shall keep the corporate seal, if any, in safe custody and shall have such other powers and perform such other duties as the Board of Directors or the bylaws may require.

Section 13. CHIEF FINANCIAL OFFICER. The Chief Financial Officer shall keep and maintain, or cause to be kept and maintained, adequate and correct books and accounts of the corporation's properties and transactions. The Chief Financial Officer shall send or cause to be given to directors such financial statements and reports as are required to be given by law, by these bylaws, or by the Board. The books of account shall be open to inspection by any director at all reasonable times.

The Chief Financial Officer shall (a) deposit, or cause to be deposited, all money and other valuables in the name and to the credit of the corporation with such depositories as the Board of Directors may designate; (b) disburse the corporation's funds as the Board of Directors may order; (c) render to the President, Chairman of the Board, if any, and the Board, when requested, an account of all transactions as Chief Financial Officer and of the financial condition of the corporation; and (d) have such other powers and perform such other duties as the Board, contract, job specification, or the bylaws may require.

If required by the Board, the Chief Financial Officer shall give the corporation a bond in the amount and with the surety or sureties specified by the Board of Directors for faithful performance of the duties of the office and for restoration to the corporation of all of its books, papers, vouchers, money, and other property of every kind in the possession or under the control of the Chief Financial Officer on his or her death, resignation, retirement, or removal from office.

## **ARTICLE IX CONTRACTS WITH DIRECTORS**

Section 1. CONTRACTS WITH DIRECTORS. The Corporation shall not enter into a contract or transaction in which a director directly or indirectly has a material financial interest (nor any other corporation, firm, association, or other entity in which one or more of this Corporation's directors are directors have a material financial interest) unless all of the following apply:

- a. The director with a material financial interest in the proposed contract or transaction fully

discloses his/her financial interest in such contract or transaction in good faith and said disclosure is noted in the Board of Directors meeting minutes.

- b. The director with a material financial interest in the proposed contract or transaction recuses himself/herself from any participation whatsoever in the proposed contract or transaction (i.e., the interested director who recuses himself/herself shall refrain from voting on the matter and shall leave the room during Board discussion and when the final vote is taken).
- c. Such contract or transaction is authorized in good faith by a majority of the Board of Directors by a vote sufficient for that purpose.
- d. Before authorizing or approving the transaction, the Board of Directors considers and in good faith decides after reasonable investigation that the corporation could not obtain a more advantageous arrangement with reasonable effort under the circumstances.
- e. The corporation for its own benefit enters into the transaction, which is fair and reasonable to the corporation at the time the transaction was entered into.

This Section does not apply to a transaction that is part of an educational or charitable program of this corporation if it (a) is approved or authorized by the corporation in good faith and without unjustified favoritism and (b) results in a benefit to one or more directors or their families because they are in the class of persons intended to be benefited by the educational or charitable program of this corporation.

## **ARTICLE X CONTRACTS WITH NON-DIRECTOR DESIGNATED EMPLOYEES**

Section 1. **CONTRACTS WITH NON-DIRECTOR DESIGNATED EMPLOYEES.** The Corporation shall not enter into a contract or transaction in which a non-director designated employee (e.g., officers and other key decision-making employees) directly or indirectly has a material financial interest unless all of the requirements in the Yu Ming Charter School Conflict of Interest Code have been fulfilled.

## **ARTICLE XI LOANS TO DIRECTORS AND OFFICERS**

Section 1. **LOANS TO DIRECTORS AND OFFICERS.** This corporation shall not lend any money or property to or guarantee the obligation of any director or officer without the approval of the California Attorney General; provided, however, that the corporation may advance money to a director or officer of the corporation for expenses reasonably anticipated to be incurred in the performance of his or her duties if that director or officer would be entitled to reimbursement for such expenses of the corporation.

## **ARTICLE XII INDEMNIFICATION**

Section 1. **INDEMNIFICATION.** To the fullest extent permitted by law, this corporation shall indemnify its directors, officers, employees, and other persons described in Corporations Code Section 5238(a), including persons formerly occupying any such positions, against all expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred by them in connection with any "proceeding," as that term is used in that section, and including an action by or in the right of the corporation by reason of the fact that the person is or was a person described in that section. "Expenses," as used in this bylaw, shall have the same meaning as in that section of the Corporations Code.

On written request to the Board of Directors by any person seeking indemnification under Corporations Code Section 5238 (b) or Section 5238 (c) the Board of Directors shall promptly decide under Corporations Code Section 5238 (e) whether the applicable standard of conduct set forth in Corporations Code Section 5238 (b) or Section 5238 (c) has been met and, if so, the Board of Directors shall authorize indemnification.

### **ARTICLE XIII INSURANCE**

Section 1. **INSURANCE.** This corporation shall have the right to purchase and maintain insurance to the full extent permitted by law on behalf of its directors, officers, employees, and other agents, to cover any liability asserted against or incurred by any director, officer, employee, or agent in such capacity or arising from the director's, officer's, employee's, or agent's status as such.

### **ARTICLE XIV MAINTENANCE OF CORPORATE RECORDS**

Section 1. **MAINTENANCE OF CORPORATE RECORDS.** This corporation shall keep:

- a. Adequate and correct books and records of account;
- b. Written minutes of the proceedings of the Board and committees of the Board; and
- c. Such reports and records as required by law.

### **ARTICLE XV INSPECTION RIGHTS**

Section 1. **DIRECTORS' RIGHT TO INSPECT.** Every director shall have the right at any reasonable time to inspect the corporation's books, records, documents of every kind, physical properties, and the records of each subsidiary as permitted by California and federal law. The inspection may be made in person or by the director's agent or attorney. The right of inspection includes the right to copy and make extracts of documents as permitted by California and federal law. This right to inspect may be circumscribed in instances where the right to inspect conflicts with California or federal law (e.g., restrictions on the release of educational records under FERPA) pertaining to access to books, records, and documents.

Section 2. **ACCOUNTING RECORDS AND MINUTES.** On written demand on the corporation, any director may inspect, copy, and make extracts of the accounting books and records and the minutes of the proceedings of the Board of Directors and committees of the Board of Directors at any reasonable time for a purpose reasonably related to the director's interest as a director. Any such inspection and copying may be made in person or by the director's agent or attorney. This right of inspection extends to the records of any subsidiary of the corporation.

Section 3. **MAINTENANCE AND INSPECTION OF ARTICLES AND BYLAWS.** This corporation shall keep at its principal California office the original or a copy of the articles of incorporation and bylaws, as amended to the current date, which shall be open to inspection by the directors at all reasonable times during office hours.

### **ARTICLE XVI REQUIRED REPORTS**

Section 1. ANNUAL REPORTS. Pursuant to Corporations Code Section 6321, the Board of Directors shall cause an annual report to be sent to the Board of Directors within 120 days after the end of the corporation's fiscal year. That report shall contain the following information, in appropriate detail:

- a. The assets and liabilities, including the trust funds, or the corporation as of the end of the fiscal year;
- b. The principal changes in assets and liabilities, including trust funds;
- c. The corporation's revenue or receipts, both unrestricted and restricted to particular purposes;
- d. The corporation's expenses or disbursement for both general and restricted purposes;
- e. Any information required under these bylaws; and
- f. An independent accountant's report or, if none, the certificate of an authorized officer of the corporation that such statements were prepared without audit from the corporation's books and records.

Section 2. ANNUAL STATEMENT OF CERTAIN TRANSACTIONS AND INDEMNIFICATIONS. As part of the annual report to all directors, or as a separate document if no annual report is issued, the corporation shall, within 120 days after the end of the corporation's fiscal year, annually prepare and mail or deliver to each director and furnish to each director a statement of any transaction or indemnification of the following kind:

- a. Any transaction (i) in which the corporation, or its parent or subsidiary, was a party, (ii) in which an "interested person" had a direct or indirect material financial interest, and (iii) which involved more than \$50,000 or was one of several transactions with the same interested person involving, in the aggregate, more than \$50,000. For this purpose, an "interested person" is either:
  - (1) Any director or officer of the corporation, its parent, or subsidiary (but mere common directorship shall not be considered such an interest); or
  - (2) Any holder of more than 10 percent of the voting power of the corporation, its parent, or its subsidiary. The statement shall include a brief description of the transaction, the names of interested persons involved, their relationship to the corporation, the nature of their interest, provided that if the transaction was with a partnership in which the interested person is a partner, only the interest of the partnership need be stated.

## **ARTICLE XVII BYLAW AMENDMENTS**

Section 1. BYLAW AMENDMENTS. The Board of Directors may adopt, amend or repeal any of these Bylaws by a majority of the directors present at a meeting duly held at which a quorum is present, except that no amendment shall change any provisions of the Charter that created the Yu Ming Charter School or make any provisions of these Bylaws inconsistent with that Charter, the corporation's Articles of Incorporation, or any laws.

**ARTICLE XVIII**  
**FISCAL YEAR**

Section 1. FISCAL YEAR OF THE CORPORATION. The fiscal year of the Corporation shall begin on July 1<sup>st</sup> and end on June 30<sup>th</sup> of each year.

**CERTIFICATE OF SECRETARY**

I certify that I am the duly elected and acting Secretary of the Yu Ming Charter School, a California nonprofit public benefit corporation; that these bylaws, consisting of these 15 pages, are the bylaws of this corporation as adopted by the Board of Directors on \_\_\_\_\_; and that these bylaws have not been amended or modified since that date.

Executed on \_\_\_\_\_ at \_\_\_\_\_, California.

\_\_\_\_\_

\_\_\_\_\_,Secretary



## **Appendix IV-c: Conflict of Interest Code**

### *YU MING CHARTER SCHOOL CONFLICT OF INTEREST CODE - DRAFT*

#### **I. ADOPTION**

In compliance with the Political Reform Act of 1974, California Government Code Section 87100, *et seq.*, Yu Ming Charter School hereby adopts this Conflict of Interest Code (“Code”), which shall apply to all governing board members, candidates for member of the governing board, and all other designated employees of Yu Ming Charter School (“Charter School”), as specifically required by California Government Code Section 87300.

#### **II. DEFINITION OF TERMS**

As applicable to a California public charter school, the definitions contained in the Political Reform Act of 1974, the regulations of the Fair Political Practices Commission, specifically California Code of Regulations Section 18730, and any amendments or modifications to the Act and regulations are incorporated by reference to this Code.

#### **III. DESIGNATED EMPLOYEES**

Employees of this Charter School, including governing board members and candidates for election and/or appointment to the governing board, who hold positions that involve the making or participation in the making, of decisions that may foreseeably have a material effect on any financial interest, shall be “Designated Employees.” The Designated Employees’ positions are listed in “Exhibit A” attached to this policy and incorporated by reference herein.

#### **IV. STATEMENT OF ECONOMIC INTERESTS: FILING**

Each Designated Employee, including governing board members and candidates for election and/or appointment to the governing board, shall file a Form 700 Statement of Economic Interest (“Statement”) at the time and manner prescribed by California Code of Regulations, title 2, section 18730, disclosing reportable investments, interests in real property, business positions, and income required to be reported under the category or categories to which the employee’s position is assigned in “Exhibit A.”

An investment, interest in real property or income shall be reportable, if the business entity in which the investment is held, the interest in real property, the business position, or source of income may foreseeably be affected materially by a decision made or participated in by the Designated Employee by virtue of his or her position. The specific disclosure responsibilities assigned to each position are set forth in “Exhibit B.”

Statements Filed With the Charter School. All Statements shall be supplied by the Charter School. All Statements shall be filed with the Charter School. The Charter School’s filing officer shall make and retain a copy of the Statement and forward the original to the County Board of Supervisors.

**V. DISQUALIFICATION**

No Designated Employee shall make, participate in making, or try to use his/her official position to influence any Charter School decision which he/she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family.

**VI. MANNER OF DISQUALIFICATION**

**A. Non-Governing Board Member Designated Employees**

When a non-Governing Board member Designated Employee determines that he/she should not make a decision because of a disqualifying interest, he/she should submit a written disclosure of the disqualifying interest to his/her immediate supervisor. The supervisor shall immediately reassign the matter to another employee and shall forward the disclosure notice to the Charter School Principal, who shall record the employee's disqualification. In the case of a Designated Employee who is head of an agency, this determination and disclosure shall be made in writing to his/her appointing authority (i.e. the Board).

**B. Governing Board Member Designated Employees**

Governing Board members shall disclose a disqualifying interest at the meeting during which consideration of the decision takes place. This disclosure shall be made part of the Board's official record. The Board member shall refrain from participating in the decision in any way (i.e., the Board member with the disqualifying interest shall refrain from voting on the matter and shall leave the room during Board discussion and when the final vote is taken) and comply with any applicable provisions of the Charter School bylaws.

Conflict of Interest Code: EXHIBIT A

**Designated Positions**

I. Persons occupying the following positions are designated employees and must disclose financial interests in all categories defined in "Exhibit B" (i.e., categories 1, 2, and 3).

- A. Members of the Governing Board and their alternates (if applicable)
- B. Candidates for Member of the Governing Board
- C. Corporate Officers (CEO/President, CFO/Treasurer, Secretary)
- D. Principal of Charter School
- E. Consultants<sup>21</sup>

II. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 1 of "Exhibit B."

- A. Office Manager

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<sup>21</sup> The Charter School Principal may determine, in writing, that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Charter School Principal's determination is a public record and shall be retained for public inspection in the same manner and location of interest code.

Conflict of Interest Code: EXHIBIT B

**Disclosure Categories**

*Category 1 Reporting:*

- A. Interest in real property which is located in whole or in part either (1) within the boundaries of the District, or (2) within two miles of the boundaries of the District, including any leasehold, beneficial or ownership interests or option to acquire such interest in real property.

(Interests in real property of an individual include a business entity's share of interest in real property of any business entity or trust in which the designated employee or his or her spouse owns, directly, indirectly, or beneficially, a 10% interest or greater.)

- B. Investments in or income from persons or business entities which are contractors or sub-contractors which are or have been within the previous two-year period engaged in the performance of building construction or design within the District.

- C. Investments in or income from persons or business entities engaged in the acquisition or disposal of real property within the jurisdiction.

(Investment includes any financial interest in or security issued by a business entity, including but not limited to common stock, preferred stock, rights, warrants, options, debt instruments and any partnership interest or other ownership interests.)

(Investments of any individual include a pro rata share of investments of any business entity or trust in which the designated employee or his or her spouse owns, directly, indirectly or beneficially, a ten percent interest or greater.)

(Investment does not include a time or demand deposit in a financial institution, shares in a credit union, any insurance policy, or any bond or other debt instrument issued by any government or government agency.)

*Category 2 Reporting:*

- A. Investments in or income from business entities which manufacture or sell supplies, books, machinery or equipment of the type utilized by the department for which the designated employee is Manager or Charter School Principal. Investments include interests described in Category 1.

*Category 3 Reporting:*

- A. Investments in or income from business entities which are contractors or sub-contractors engaged in the performance of work or services of the type utilized by the department for which the designated employee is Manager or Charter School Principal. Investments include the interests described in Category 1.

## Appendix IV-d: Yu Ming Charter School Advisory Board

**Susan Campbell** teaches seventh and eighth grade English and Journalism and serves as an eighth grade advisor and the sustainability coordinator at École Bilingue in Berkeley, CA. She has been an independent school English teacher for twenty years. Her first eight years of teaching, she taught high school English at Philips Andover in Andover, MA, the Punahou School in Honolulu, the Brooks School in North Andover, MA and Swiss Semester in Zermatt, Switzerland. At École Bilingue, she served two years on the board, co-designed a fully integrated bilingual language curriculum for eighth grade and co-designed, funded and co-taught a three-year multi-disciplinary movie-making project about energy issues. Ms. Campbell's narrative describing the energy project was published in 2008 in the National Association of Independent Schools *Stories of Excellence: Case Studies of Exemplary Teaching and Learning with Technology*. In the past year, she completed the Leadership Academy at the Center for Eco Literacy in Berkeley, CA and a French National Curriculum workshop on creating school sustainability projects. Ms. Campbell has a BA from Cornell and a MA in English from Middlebury College Bread Loaf School of English. She was a Klingenstein Summer Fellow through the Columbia Teacher's College, attended the Squaw Valley Fiction Writers Conference and taught digital storytelling workshops for the Center for Digital Storytelling. Ms. Campbell is the mother of two pre-school-age sons, one of whom just completed his first French immersion pre-school year at Ecole Bilingue.

**Vincent Chao** recently retired as a principal in San Francisco Unified School District. He has served as principal of Visitacion Valley Elementary School, Jose Ortega Elementary School, and Treasure Island School. He has taught at elementary, middle and high school levels, and founded the first Chinese language program in San Francisco Unified School District. Mr. Chao received his BA from Brown University, his MA from the University of Paris, La Sorbonne, his Teaching Credential from San Francisco State University; and his Administrative Credential from University of San Francisco.

**Nick Driver** is Vice President of School Development and Outreach for the Northern California Region for the California Charter Schools Association, and brings a diverse background in journalism, international affairs, and education activism to his charter school work. In his role as General Manager he has visited more than 200 schools in 20 counties statewide. His local advocacy and support for charters has led to the creation of more than 100 new charter public schools during his tenure, while supporting existing charter schools to grow stronger and to focus on increasing student achievement. Mr. Driver continues to be involved in local education reform efforts. He is the Vice-Chair of San Francisco Unified Board of Education's Parent Advisory Council, and assisted PAC becoming voting members of the SF Board of Education. He lends his expertise to local educational boards, serving on San Francisco's Alvarado Elementary School Site Council and the University of San Francisco's Center for the Pacific Rim. While with the Committee to Repair Our Schools, Mr. Driver coordinated fundraising and community involvement campaigns for local school bond campaigns. Mr. Driver has worked as a journalist for the Los Angeles Times, the San Francisco Examiner, and United Press International. His first hand entrepreneurship allowed him to run two enterprises that focus on international research and analysis. Mr. Driver earned a Bachelor's Degree in Asian Studies at the University of California at Berkeley.

**Twig Gallemore**, Partner, Elevation Design+Architecture, is a licensed architect with over 19 years of architectural experience in educational, health care, residential, retail and light industrial projects. In addition to designing buildings, Twig has been designing and developing web sites and user experiences for public organizations, academic institutions and private businesses. With expertise in both user-interface design and sustainable building design his user-centered approach is practical, insightful, and coherent. In addition to

being a LEED accredited professional and Certified Green Building Professional and Green Point Rater, he has earned advanced degrees from MIT and Carnegie Mellon in design and building technology.

**Julia Imburg Kassissieh** is a seasoned educator and administrator with expertise in small learning communities, leadership development, and school improvement. She is currently an Independent Consultant, working on the Washington State Summit District Improvement Initiative with the Office of Superintendent Public Instruction (OSPI), providing services to district leadership teams to design and refine use of data for decision-making, provide professional development for teachers and leaders in high yield instructional strategies; develop tools that support collaborative lesson planning cycles; and lead district planning for improvement of instruction. Previously, Ms. Kassissieh was a Senior Program Advisor at the Northwest Regional Educational Laboratory in Portland, OR, where she provided intensive coaching for schools and districts involved in transformation and wrote articles on systemic leadership for high school improvement. For three years, she served as Executive Director and Principal for North Oakland Community Charter School (NOCCS) in Oakland, where she led a high-performing small school and was responsible for all aspects of the school education program, administration and overall effectiveness. Ms. Kassissieh has also been a researcher and program evaluator at Research Policy and Practice International and Stanford Graduate School of Education. She began her education career as a high school English Teacher and has also served as English Department Chair. She received her BA in English, Single Subject Clear Teaching Credential and Tier 1 Administrative Credential from CSU Stanislaus, and her MA in Curriculum and Instruction from Stanford University Graduate School of Education.

**P. David Pearson** is a faculty member in the programs in Language and Literacy and Cognition and Development at the Graduate School of Education at the University of California, Berkeley, where he served as Dean from 2001-2010. His current research focuses on issues of reading instruction and reading assessment policies and practices at all levels-local, state, and national. Prior to coming to Berkeley in 2001, he served as the John A. Hannah Distinguished Professor of Education in the College of Education at Michigan State and as Co-Director of the Center for the Improvement of Early Reading Achievement. Even earlier, he was Dean of the College of Education, Co-Director of the Center for the Study of Reading, and Professor of Curriculum and Instruction at the University of Illinois. His initial professorial appointment was at the University of Minnesota in Minneapolis. He has been active in professional organizations, serving the International Reading Association and the National Council of Teachers of English in many capacities, both the National Reading Conference and The National Conference of Research in English as President, and the American Association of Colleges of Teacher Education as a member of the Board. In 1989, the National Reading Conference presented him with the Oscar Causey Award for outstanding contributions to reading research. In 1990, he was awarded the William S. Gray Citation of Merit by the International Reading Association for his contributions to theory, research, and practice. In 2003, he was elected to the National Academy of Education. In 2004, he received the Alan Purves Award from NCTE for the RTE article most likely to influence practice, and in 2005, the Albert J. Harris Award from IRA for scholarship on reading difficulties. In 2006, the University of Minnesota honored him with the Alumni Outstanding Achievement Award, the highest non-academic award given at the University, for his contributions to educational research and practice. In 2010, he received the AERA Distinguished Contributions to Research in Education Award. He has served as an advisor to the National Academy of Science, the Children's Television Workshop (now the Sesame Workshop), and Word World. Currently he sits on several advisory boards: the Board of Directors of the National Writing Project, the Educational Advisory Board of the National Geographic Society, and the Board of Visitors of the Colleges of Education at the University of Minnesota and the University of Pittsburgh. He has written and co-edited several books about research and practice, most notably the Handbook of Reading Research, now in its fourth volume. He has served on the boards of many educational research journals e.g., Reading Research Quarterly, Science, Journal of Literacy Research, Review of Educational Research, Journal of Educational Psychology, Cognition and Instruction, Research in Teaching English, and Review of Educational Research. He has served multiple terms as editor

of 3 major research publications-Reading Research Quarterly, NRC Yearbook, and Review of Research in Education. Professor Pearson received his B.A. in History from the University of California at Berkeley, after which he taught elementary school in California for several years, and went on to complete his Ph.D. in Reading Education at the University of Minnesota. He completed post-doctoral study leaves at the University of Texas, Austin and Stanford University.

**Jiun Chou Young** is the Chinese Department Chair at the Chinese American International School (CAIS), one of the first and leading Mandarin Immersion schools in the country. Over the past 13 years, she has served a variety of other roles at CAIS, including Middle School Director, Lower School Director, and middle school humanities teacher. Ms. Young has also taught Mandarin for grades K-12 at the Contra Costa Chinese School, has operated her own home preschool, and was a Chinese literature teacher in Taipei, Taiwan. She has co-authored the SAT II Chinese Listening test book, and the teaching materials for the Chinese AP test. She received her BA in Chinese Literature and Teaching Certificate at Chen-Chi National University, and her MA in Counseling and Guidance at Poly Tech State University in San Luis Obispo, CA.

**Gareth Diaz Zehrbach** has extensive administrative and teaching experience, with special expertise in dual language immersion. He is currently principal at University Public School, Phoenix University Public Schools, which serves a student population composed almost exclusively with students qualifying for the free and reduced lunch program. He has successfully led the school through its inaugural year of operation and implemented the Teacher Advancement Program (TAP). Previously, he was principal at Nuestro Mundo Community School in Madison, WI, a Title 1 school-wide dual language immersion elementary charter school. Mr. Zehrbach recently published “Two-Way Immersion Charter Schools: An Analysis of Program Characteristics and Student Body Compositions,” a book chapter within Immersion Education: Practice, Policies, Possibilities. He received his BA in Business Administration and MA in Education from the University of Notre Dame and a Ph.D. in Educational Leadership and Policy Analysis from the University of Wisconsin-Madison. He has a teaching license from the State of Indiana in Foreign Language, and Principal Licenses from Arizona and Wisconsin.

## Appendix IV-e: Draft Three-Way Contract

### *The Student's Commitment*

- I will be guided by the five core values of ethics, resilience, compassion, wisdom
- I will come to school ready and willing to learn
- I will complete all of my homework assignments on time
- I will read or ask someone to read to me every night

### *The School's Commitment*

- We embrace and model the values of ethical, resilient, compassionate, and wise, and work to instill them in all of our students.
- We will work tirelessly to ensure that your child secures the academic knowledge and skills to prepare him / her for the nation's finest high schools and colleges.
- We will operate a longer school year and longer school day to ensure your student has more time for learning.
- We will always come to class prepared and will continually engage students in the challenging, hard work that paves the way for success in school and life.
- We will maintain an open-door policy for parents, who may come into the school at any time (after checking in at the front office) and enter any classroom for observation, as long as there is no disruption.
- We will communicate with you regularly about your child's performance and make ourselves available in person and by telephone. We will return your telephone calls within 24 hours.
- We will assign productive, meaningful homework each night (except in special circumstances) to focus students on working to their fullest potential.
- We will enforce the School's Code of Conduct consistently and fairly, and notify you promptly if we have concerns about your child's behavior in school.

### *Parents' / Guardians' Commitment*

- We will be guided by the School's four core values of ethics, resilience, compassion, wisdom
- We will support our child's academic growth by:
  - Holding high expectations for him/her
  - Providing a quiet, undisturbed time and space for our child to complete his/her homework.
  - Ensuring that our child completes his/her homework daily
  - Ensuring that s/he is reading or being read to every night
  - Frequently discussing schoolwork and activities with my child
  - Communicating regularly with our child's teachers.
- We understand that the school offers a longer school year and longer school day, and will ensure our child is well-rested, fed and present to take advantage of the extended learning time. Specifically, by
  - Ensuring that our child comes to school every day on time, stays for the full day, and is picked up promptly at dismissal time.
  - Not planning family vacations or other extended absences on school days
  - Making sure that our child promptly makes up missed work following absences.
- We understand that that the School's Dress Code is an important part of ensuring a safe and respectful school community and will ensure that our child comes to school each day in proper dress (according to the Parent-Student Handbook).

- We have read, understand and support the School’s Code of Conduct including all its rules, rewards and disciplinary consequences.
- We will do our best to participate in school activities, including Student-Parent-Teacher Conferences so that we may be partners in our child’s progress in school.
- We will volunteer at least 60 hours per year per family for School community. This includes all meetings, parent education activities, take home projects, in class help, etc. For a full list please see parent handbook.
- We understand that we are not required to sign this contract as a term of our child’s admission to the School, but do so voluntarily because we believe that a partnership between parents and educators is critical to creating the best possible education for our child.

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
School Signature

\_\_\_\_\_  
Parent Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date



## **Appendix IV-f: Uniform Complaint Policy and Procedures**

### *UNIFORM COMPLAINT POLICY AND PROCEDURES*

#### Scope

Yu Ming Charter School (the “Charter School”) policy is to comply with applicable federal and state laws and regulations. The Charter School is the local agency primarily responsible for compliance with federal and state laws and regulations governing educational programs. Pursuant to this policy, persons responsible for conducting investigations shall be knowledgeable about the laws and programs which they are assigned to investigate. This complaint procedure is adopted to provide a uniform system of complaint processing for the following types of complaints:

- (1) Complaints of discrimination against any protected group including actual or perceived, including discrimination on the basis of age, sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or on the basis of a person’s association with a person or group with one or more of these actual or perceived characteristics in any Charter School program or activity.; and
- (2) Complaints of violations of state or federal law and regulations governing the following programs including but not limited to: special education, Title II, Section 504 of the Rehabilitation Act, consolidated categorical aid, No Child Left Behind, migrant education, career technical and technical education training programs, child care and development programs, child nutrition program

The Charter School acknowledges and respects every individual’s rights to privacy. Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process. This includes keeping the identity of the complainant confidential, as appropriate and except to the extent necessary to carry out the investigation or proceedings, as determined by the Principal or designee on a case-by-case basis.

The Charter School prohibits any form of retaliation against any complainant in the complaint process, including but not limited to a complainant’s filing of a complaint or the reporting of instances of discrimination. Such participation shall not in any way affect the status, grades or work assignments of the complainant.

#### Compliance Officers

The Governing Board designates the following compliance officer(s) to receive and investigate complaints and to ensure the Charter School’s compliance with law:

Principal  
Yu Ming Charter School  
PO Box 10005  
Oakland, CA 94610

The Principal or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Designated employees may have access to legal counsel as determined by the Principal or designee.

#### Notifications

The Principal or designee shall annually provide written notification of the Charter School's uniform complaint procedures to students, employees, parents/guardians, the Governing Board, appropriate private officials or representatives, and other interested parties.

The Principal or designee shall make available copies of the Charter School's uniform complaint procedures free of charge.

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints.
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal discrimination laws, if applicable.
3. Advise the complainant of the appeal process pursuant to Education Code Section 262.3, including the complainant's right to take the complaint directly to the California Department of Education ("CDE") or to pursue remedies before civil courts or other public agencies.
4. Include statements that:
  - a. The Charter School is primarily responsible for compliance with state and federal laws and regulations;
  - b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline;
  - c. An unlawful discrimination complaint must be filed not later than six months from the date the alleged discrimination occurs, or six months from the date the complainant first obtains knowledge of the facts of the alleged discrimination;
  - d. The complainant has a right to appeal the Charter School's decision to the CDE by filing a written appeal within 15 days of receiving the Charter School's decision; and
  - e. The appeal to the CDE must include a copy of the complaint filed with the Charter School and a copy of the Charter School's decision.

### Procedures

The following procedures shall be used to address all complaints which allege that the Charter School has violated federal or state laws or regulations governing educational programs. Compliance officers shall maintain a record of each complaint and subsequent related actions.

All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

### Step 1: Filing of Complaint

Any individual, public agency, or organization may file a written complaint of alleged noncompliance by the Charter School.

A complaint alleging unlawful discrimination shall be initiated no later than six months from the date when the alleged discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination. A complaint may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination.

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and date stamp.

If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, Charter School staff shall assist him/her in the filing of the complaint.

### Step 2: Mediation

Within three days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make arrangements for this process.

Before initiating the mediation of a discrimination complaint, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the Charter School's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

### Step 3: Investigation of Complaint

The compliance officer is encouraged to hold an investigative meeting within five days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally.

The complainant and/or his/her representative shall have an opportunity to present the complaint and evidence or information leading to evidence to support the allegations in the complaint.

A complainant's refusal to provide the Charter School's investigator with documents or other evidence related to the allegations in the complaint, or his/her failure or refusal to cooperate in the investigation or his/her engagement in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegation.

The Charter School's refusal to provide the investigator with access to records and/or other information related to the allegation in the complaint, or its failure or refusal to cooperate in the investigation or its engagement in any other obstruction of the investigation, may result in a finding, based on evidence collected, that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

#### Step 4: Response

##### OPTION 1:

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report of the Charter School's investigation and decision, as described in Step #5 below, within 60 days of the Charter School's receipt of the complaint.

##### OPTION 2:

Within 30 days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the Charter School's investigation and decision, as described in Step #5 below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five days, file his/her complaint in writing with the Board.

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60 day time limit within which the complaint must be answered. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 days of the Charter School's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant.

#### Step 5: Final Written Decision

The Charter School's decision shall be in writing and sent to the complainant. The Charter School's decision shall be written in English and in the language of the complainant whenever feasible or as required by law.

The decision shall include:

1. The findings of fact based on evidence gathered.
2. The conclusion(s) of law.
3. Disposition of the complaint.
4. Rationale for such disposition.
5. Corrective actions, if any are warranted.
6. Notice of the complainant's right to appeal the Charter School's decision within fifteen (15) days to the CDE and procedures to be followed for initiating such an appeal.
7. For discrimination complaints arising under state law, notice that the complainant must wait until 60 days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies.

8. For discrimination complaints arising under federal law such complaint may be made at any time to the U.S. Department of Education, Office for Civil Rights.

If an employee is disciplined as a result of the complaint, the decision shall simply state that effective action was taken and that the employee was informed of the Charter School's expectations. The report shall not give any further information as to the nature of the disciplinary action.

#### Appeals to the California Department of Education

If dissatisfied with the Charter School's decision, the complainant may appeal in writing to the CDE within fifteen (15) days of receiving the Charter School's decision. When appealing to the CDE, the complainant must specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the Charter School's decision.

Upon notification by the CDE that the complainant has appealed the Charter School's decision, the Principal or designee shall forward the following documents to the CDE:

1. A copy of the original complaint.
2. A copy of the decision.
3. A summary of the nature and extent of the investigation conducted by the Charter School, if not covered by the decision.
4. A copy of the investigation file, including but not limited to all notes, interviews, and documents submitted by all parties and gathered by the investigator.
5. A report of any action taken to resolve the complaint.
6. A copy of the Charter School's complaint procedures.
7. Other relevant information requested by the CDE.

The CDE may directly intervene in the complaint without waiting for action by the Charter School when one of the conditions listed in Title 5, California Code of Regulations, Section 4650 exists, including cases in which the Charter School has not taken action within 60 days of the date the complaint was filed with the Charter School.

#### Civil Law Remedies

A complainant may pursue available civil law remedies outside of the Charter School's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders. For discrimination complaints arising under state law, however, a complainant must wait until 60 days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if the Charter School has appropriately, and in a timely manner, apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622.

## *POLICY AGAINST HARASSMENT AND SEXUAL HARASSMENT*

Yu Ming Charter School (“YMCS”) is committed to providing a work and educational atmosphere that is free of unlawful harassment. YMCS’s policy prohibits sexual harassment and harassment based upon pregnancy, childbirth or related medical conditions, race, religion, creed, color, gender, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal, state, local law, ordinance or regulation. YMCS will not condone or tolerate harassment of any type by any employee, independent contractor or other person with which YMCS does business with. This policy applies to all employee actions and relationships, regardless of position or gender. YMCS will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted.

### Prohibited Unlawful Harassment

- Verbal conduct such as epithets, derogatory jokes or comments or slurs;
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of sex, race or any other protected basis;
- Retaliation for reporting or threatening to report harassment
- Deferential or preferential treatment based on any of the protected classes above.

### Prohibited Unlawful Sexual Harassment

In accordance with existing policy, discrimination on the basis of gender in education institutions is prohibited. All persons, regardless of the gender, are afforded equal rights and opportunities and freedom from unlawful discrimination in education programs or activities conducted by YMCS.

YMCS is committed to provide a workplace free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action, up to, and including dismissal, of the offending employee.

Sexual harassment consist of sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when: (1) submission of the conduct is either made explicitly or implicitly a term or condition of an individual’s employment; (2) an employment decision is based upon an individual’s acceptance or rejection of that conduct; (3) that conduct interferes with an individual’s work performance or creates an intimidating, hostile or offensive working environment.

It is also unlawful to retaliate in any way against an employee who has articulated a good faith concern about sexual harassment against him or her against another individual.

All supervisors of staff will receive sexual harassment training within six (6) months of their assumption of a supervisory position and will receive further training once every two (2) years thereafter. All staff will receive sexual harassment training and/or instruction concerning sexual harassment in the workplace as required by law.

Each employee has the responsibility to maintain a workplace free from any form of sexual harassment. Consequently, should any individual, in particular those with supervisory responsibilities, become aware of any conduct that may constitute sexual harassment or other prohibited behavior, immediate action should be taken to address such conduct. Employees and students are expected to act in a positive and professional manner and to contribute to a productive School environment that is free from harassing or disruptive activity. Any employee who believes they have been harassed or has witnessed harassment is

encouraged to immediately report such harassment to their supervisor or the Principal. See Attachment B for the “Harassment Complaint Form.”

Sexual harassment may include, but is not limited to:

- Physical assaults of a sexual nature, such as:
  - Rape, sexual battery, molestation or attempts to commit these assaults and
  - Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another’s body, or poking another’s body.
  
- Unwanted sexual advances, propositions or other sexual comments, such as:
  - Sexually oriented gestures, notices, remarks, jokes, or comments about a person’s sexuality or sexual experience.
  - Preferential treatment or promises of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward or deferential treatment for rejecting sexual conduct.
  - Subjecting or threats of subjecting an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee’s job more difficult because of the employee’s sex.
  
- Sexual or discriminatory displays or publications anywhere at the workplace by employees, such as:
  - Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic or bringing to work or possessing any such material to read, display or view at work.
  - Reading publicly or otherwise publicizing in the work environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic; and
  - Displaying signs or other materials purporting to segregate an employee by sex in an area of the workplace (other than restrooms or similar rooms).

The illustrations of harassment and sexual harassment above are not to be construed as an all-inclusive list of prohibited acts under this policy.

Complainants and witnesses under these policies will be protected from further harassment and will not be retaliated against in any aspect of their employment due to their participation, filing of a complaint or reporting sexual harassment.

YMCS will investigate complaints promptly and provide a written report of the investigation and decision as soon as practicable. The investigation will be handled in as confidential a manner as possible consistent with a full, fair, and proper investigation.

Employees may also direct their complaints to the California Department of Fair Employment and Housing (“DFEH”), which has authority to conduct investigation of the facts. The deadline for filing complaints with the DFEH is one year from the date of the alleged unlawful conduct. If the DFEH believes a complaint is valid and settlement efforts fail, the DFEH may seek an administrative hearing before the California Fair Employment and Housing Commission (“FEHC”) or file a lawsuit in court. Both the FEHC and the courts have authority to award monetary and non-monetary relief in meritorious cases.

Employees can contact the nearest DFEH office or the FEHC by checking the State Government listings in the local telephone directory.

While in most situations a personal relationship is a private matter, these relationships are not appropriate in a professional setting, particularly where one of the parties has management or supervisory responsibilities.



## *INTERNAL COMPLAINT POLICY*

Suggestions for improving YMCS are always welcome. Your good-faith complaints, questions, and suggestions also are of concern to YMCS. We ask you to first discuss your concerns with your supervisor, following these steps:

- Within a week of the occurrence, bring the situation to the attention of your immediate supervisor, who will then investigate and provide a solution or explanation;
- If the problem persists, you may describe it in writing and present it to the Principal who will investigate and provide a solution or explanation. We encourage you to bring the matter to the Principal as soon as possible after you believe that your immediate supervisor has failed to resolve it; and,
- If the problem is not resolved, you may present the problem in writing to the Governing Board of YMCS, who will attempt to reach a final resolution. If you need assistance with the written complaint, contact the Principal for help.

This procedure, which we believe is important for both you and YMCS, cannot guarantee that every problem will be resolved to your satisfaction. However, YMCS values your observations and you should feel free to raise issues of concern, in good faith, without the fear of retaliation.

## *POLICY FOR COMPLAINTS AGAINST EMPLOYEES*

YMCS requires all employees to observe the highest standard of business and personal ethics in the conduct of their duties and responsibilities. As representatives of YMCS, employees must practice honesty and integrity in fulfilling responsibilities and comply with all applicable laws and regulations.

It is the responsibility of all employees to comply with school policies noted in the Employment Guidelines and to report violations or suspected violations in accordance with this Whistleblower Policy.

Depending on the nature of the complaint, the complainant will be provided information concerning the applicable policy and procedures to be followed. If there is no applicable policy or procedures, the Principal (or designee) shall encourage the parties involved to seek an informal resolution of the issues. If this is not possible due to the nature of the complaint or if informal resolution has been unsuccessfully attempted, the Principal (or designee) shall undertake a responsible inquiry into the complaint to ensure it is reasonably and swiftly addressed. When appropriate, a written statement of the complaint will be obtained from the complainant.

If the complainant files a written complaint and no other school policy or procedure is applicable, the Principal (or designee) shall abide by the following process:

1. Within 10 working days of the receipt of the complaint, the Principal or designee shall use his or her best efforts to talk with the parties identified in the complaint and to ascertain the facts relating to the complaint.
2. In the event that the Principal (or designee) finds that a complaint against an employee is valid, the Principal (or designee) may take appropriate disciplinary action against the employee. As

appropriate, the Principal (or designee) may also simply counsel/reprimand employees as to their conduct without initiating formal disciplinary measures.

3. The Principal's (or designee's) decision relating to the complaint shall be final unless it is appealed to the Board of Directors of the Charter School. The decision of the Board of Directors shall be final.

#### Confidentiality

Complainants will be notified that information obtained from the complainants and thereafter gathered will be maintained in a manner as confidential as possible, but in some circumstances absolute confidentiality cannot be assured.

#### Non-Retaliation

Complainants will be advised that they will be protected against retaliation as a result of the filing of any complaints or participation in any complaint process.

#### Resolution

The administration will investigate complaints appropriately under the circumstances and pursuant to the applicable procedures, and if necessary, take appropriate remedial measures to ensure effective resolution of any complaint.

UNIFORM COMPLAINT PROCEDURE FORM

Last Name: \_\_\_\_\_ First Name/MI: \_\_\_\_\_

Student Name (if applicable): \_\_\_\_\_ Grade: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Street Address/Apt. #: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Location of Alleged Violation: \_\_\_\_\_

**For allegation(s) of noncompliance, please check the program or activity referred to in your complaint, if applicable:**

- Adult Education
- Consolidated Categorical Programs
- Nutrition Services
- Career/Technical Education
- Migrant and Indian Education
- Special Education
- Child Development Programs

**For allegation(s) of unlawful discrimination/harassment, please check the basis of the unlawful discrimination/harassment described in your complaint, if applicable:**

- Age
- Ethnic Group Identification
- Religion
- Ancestry
- Gender
- Sex (Actual or Perceived)
- Color
- National Origin
- Sexual Orientation (Actual or Perceived)
- Disability (Mental or Physical)
- Race
- Based on association with a person or group with one or more of these actual or perceived characteristics

1. Please give facts about the complaint. Provide details such as the names of those involved, dates, whether witnesses were present, etc., that may be helpful to the complaint investigator.

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2. Have you discussed your complaint or brought your complaint to any School personnel? If you have, to whom did you take the complaint, and what was the result?

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3. Please provide copies of any written documents that may be relevant or supportive of your complaint.

I have attached supporting documents.

Yes

No

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Mail complaint and any relevant documents to:

Principal  
Yu Ming Charter School  
PO Box 10005  
Oakland, CA 94610

HARASSMENT COMPLAINT FORM

*It is the policy of YMCS that all of its employees be free from harassment including sexual harassment. This form is provided for you to report what you believe to be harassment, so that YMCS may investigate and take appropriate disciplinary or other action when the facts show that there has been harassment.*

*If you are an employee of YMCS, you may file this form with the Principal or Board President.*

*Please review YMCS's policies concerning harassment for a definition of sexual harassment and a description of the types of conduct that are considered to be harassment.*

*YMCS will undertake every effort to handle the investigation of your complaint in a confidential manner. In that regard, YMCS will disclose the contents of your complaint only to those persons having a need to know. For example, to conduct its investigation, YMCS will need to disclose portions of your factual allegations to potential witnesses, including anyone you have identified as having knowledge of the facts on which you are basing your complaint, as well as the alleged harasser.*

*In signing this form below, you authorize YMCS to disclose to others the information you have provided herein, and information you may provide in the future. Please note that the more detailed information you provide, the more likely it is that YMCS will be able to address your complaint to your satisfaction.*

*Charges of harassment are taken very seriously by YMCS both because of the harm caused to the person harassed, and because of the potential sanctions that may be taken against the harasser. It is therefore very important that you report the facts as accurately and completely as possible and that you cooperate fully with the person or persons designated to investigate your complaint.*

Your Name: \_\_\_\_\_ Date: \_\_\_\_\_

Date of Alleged Incident(s): \_\_\_\_\_

Name of Person(s) you believe harassed you or someone else: \_\_\_\_\_

List any witnesses that were present: \_\_\_\_\_

Where did the incident(s) occur? \_\_\_\_\_

Please describe the events or conduct that are the basis of your complaint by providing as much factual detail as possible (i.e. specific statements; what, if any, physical contact was involved; any verbal statements; what did you do to avoid the situation, etc.) (Attach additional pages, if needed):

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**I acknowledge that I have read and that I understand the above statements. I hereby authorize YMCS to disclose the information I have provided as it finds necessary in pursuing its investigation.**

**I hereby certify that the information I have provided in this complaint is true and correct and complete to the best of my knowledge and belief.**

\_\_\_\_\_  
Signature of Complainant

Date: \_\_\_\_\_

\_\_\_\_\_  
Print Name

Received by: \_\_\_\_\_

Date: \_\_\_\_\_

COMPLAINT FORM

Your Name: \_\_\_\_\_ Date: \_\_\_\_\_

Date of Alleged Incident(s): \_\_\_\_\_

Name of Person(s) you have a complaint against: \_\_\_\_\_

List any witnesses that were present: \_\_\_\_\_

Where did the incident(s) occur?

Please describe the events or conduct that are the basis of your complaint by providing as much factual detail as possible (i.e. specific statements; what, if any, physical contact was involved; any verbal statements; what did you do to avoid the situation, etc.) (Attach additional pages, if needed):

I hereby authorize Yu Ming Charter School to disclose the information I have provided as it finds necessary in pursuing its investigation. I hereby certify that the information I have provided in this complaint is true and correct and complete to the best of my knowledge and belief. I further understand providing false information in this regard could result in disciplinary action up to and including termination.

\_\_\_\_\_  
Signature of Complainant

Date: \_\_\_\_\_

\_\_\_\_\_  
Print Name

To be completed by School:

Received by: \_\_\_\_\_

Date: \_\_\_\_\_

## Appendix V-a: Description of the Principal Search Process

### *Sources*

Yu Ming Charter School has already contacted and interviewed two candidates for principals, and is conducting extensive outreach in the Mandarin immersion community, including:

- Attending the 2010 CAIS Conference in San Francisco
- Investigated teacher acquisition networks used by Yinghua and Scenic Heights immersion programs
- joining list-serves, including MN-K12CHINESE@LISTS.UMN.EDU and LIM-A@LISTS.UMN.EDU
- Meeting with a variety of individuals in the immersion community, including:
  - active charter school principal of an immersion program and Ph.D. two way dual immersion academician expert
  - several principals with leadership experience guiding existing immersion programs
  - Chinese department chair of the oldest Mandarin immersion school in the country
  - Head of UC Berkeley head of National Center for K-16 Chinese Language Pedagogy
  - former teacher of Mandarin and Chinese culture for over 20 years and former Director of Mandarin Programs in the Piedmont Unified School District

### *Selection Process*

1. **Initial Screen:** Hiring Committee Chair will review resumes, cover letters, and recommendation letters.
2. **Initial 1:1 Screening Interviews:** Hiring Committee Project Chair will conduct 1:1 phone interviews with candidates.
3. **School visit:** For searches that take place once the facility has been selected, candidates will visit the school for a few hours. Activities will include: tour and informal conversations with staff.
4. **Panel Interviews:** The panel interviews include: separate interviews with members of the panel (teachers, classified staff, parents, Board members); observation of coaching skills (candidate watches a 10 minute video and conducts a post-observation conference) as part of the teacher panel; and data project (candidate analyzes data and develops recommendation).
5. **Follow-up Interview:** Hiring Committee Project Chair and Board Chair each conducts a 1:1 follow-up interview with finalist candidates based on questions raised during panel interviews.

### *Hiring Panel*

Panelists commit to participating in interviews of all candidates and in the post-interview debrief and decision discussions. Panelists will be trained as necessary. The Hiring Committee will include:

- 2-3 teachers
- 2-3 parents
- 1-2 non-teaching staff members
- 1-2 Board members
- 1-2 Advisory Board members



Yu Ming Charter School  
育明中英雙語學院  
TEAM MEMBER HANDBOOK  
DRAFT - August 2010

## TABLE OF CONTENTS

WELCOME .....	84
EMPLOYMENT POLICIES .....	85
At-Will Employment .....	85
Equal Employment Opportunity.....	85
Anti-Harassment Policy .....	85
Disabilities - Reasonable Accommodation.....	87
Workers’ Compensation.....	87
Conflicts Of Interest.....	88
Personnel Records .....	88
Employment Of Relatives .....	88
Property, Including Proprietary And Confidential Information.....	89
Technology Use And Privacy.....	90
TEAM MEMBER VOICE AND INTERNAL COMMUNICATIONS.....	93
Open Door Policy.....	93
Annual Stakeholder Satisfaction Surveys.....	93
Other Surveys .....	93
Suggestion Box .....	93
Community Complaint Policy.....	93
PERFORMANCE MANAGEMENT .....	95
Professional Development.....	95
Performance Review .....	95
Corrective Review/Disciplinary Action.....	95
Upward Feedback .....	96
COMPENSATION .....	97
Base Salaries .....	97
Base Salary Increases .....	97
Stipends.....	97
Exempt Vs Non-Exempt Classification Of Team Members .....	98
Full-Time Vs. Part-Time Classification Of Team Members .....	98
Overtime.....	98
Job Duties.....	98
Pay Procedures .....	99
BENEFITS.....	100
Overview Of Benefits.....	100
Attendance .....	100
Sick Days .....	100
Personal Time Off .....	101
Paid Holidays / Paid Days Off .....	102
Leaves Of Absence .....	102
Family And Medical Care Leave .....	103
Pregnancy Disability Leave.....	105
Paid Family Leave .....	106
Domestic Violence Leave .....	106
Victims Of Crime Leave .....	106
Military Leave.....	106
Time Off For School Activities .....	107
Bereavement Leave.....	107

Jury Duty .....	107
SAFETY AND SECURITY.....	108
Safe Workplace .....	108
Smoke-Free Workplace .....	108
Drug-Free Workplace.....	108
Inspections And Searches On YMCS Premises .....	108
TRANSITIONS .....	110
Changes Of Status.....	110
Promotions.....	110
References .....	110
Resignations .....	111
Terminations.....	111
Exit Interviews.....	111
IN CLOSING.....	111
ACKNOWLEDGEMENT .....	112

# WELCOME

Welcome to Yu Ming Charter School! As team member at YMCS, you are an integral part of helping us achieve our mission. Your dedication to our students, pride in your work and commitment to YMCS is essential to our success.

This Handbook contains information about YMCS's employment policies and practices. We have designed our employment policies and practices not only to comply with federal and state employment laws, but also to attract, develop, retain, and reward talented educators, administrators, support staff, and leaders. Our policies and practices also reflect the core values of YMCS:

- 德 Ethical: having a strong moral character
- 勤 Resilient: having the ability to persevere diligently and continue to strive even when faced with challenges
- 仁 Compassionate: able to consider others' viewpoints in an open-minded way, appreciate cultural differences, and work well with others
- 智 Wise: intellectually curious and able to think critically and solve problems in a creative way

This Handbook supersedes all previously issued Handbooks. We expect each team member to read this Handbook carefully, as it is a valuable reference for understanding your job and YMCS. However, please be aware that not all of YMCS policies and procedures are set forth in this Handbook. We have summarized only some of the more important ones. YMCS reserves the right to revise, delete, and add to the provisions of this Handbook. No oral statements or representations can change the provisions of this Handbook. If you have any questions or concerns about this Handbook or any other policy or procedure, please ask your site principal, supervisor, or the Business Manager.

After reading this Handbook, all team members should sign the acknowledgment form at the back of this Handbook and return it to the Principal. This will provide YMCS with a record that each team member has received and read the Handbook.

Again, welcome to Yu Ming Charter School!

# EMPLOYMENT POLICIES

*YMCS's employment policies (and practices) comply with all Federal and state law requirements. In this section of this Handbook, you will find detailed explanations of these important requirements and how YMCS complies with them. Strict compliance with these policies is expected and required from all YMCS team members.*

## **AT-WILL EMPLOYMENT**

All employment at YMCS is “at-will.” This means that both team members and YMCS have the right to terminate employment at any time, with or without advance notice (although we request and try to give two weeks notice), and with or without cause. Nothing in this Handbook shall limit the right to terminate at-will employment. No one other than the Principal and Chair of the Board of Directors of YMCS, collectively, have the authority to alter this arrangement, to enter into an agreement for employment for a specified period of time, or to make any agreement contrary to this policy, and any such agreement must be in writing and must be signed by both Principal and Chair of the Board of Directors of YMCS. Given the entrepreneurial nature of the organization, YMCS maintains a highly flexible culture, and so a team member’s position and/or position description may be changed at any given time by his or her supervisor. Nothing in this booklet is intended to change this policy.

## **EQUAL EMPLOYMENT OPPORTUNITY**

YMCS is an equal opportunity employer and makes employment decisions based on merit. YMCS policy prohibits unlawful discrimination on the basis of race, ethnic group, color, sex (including pregnancy, childbirth, or related medical conditions), national origin, registered domestic partner status, ancestry, religion, creed, physical or mental disability, marital status, medical condition, sexual orientation, veteran status, age, or the appearance of any of these characteristics, and any other basis protected by federal, state, or local law. When necessary, YMCS also makes reasonable accommodations for disabled team members, unless undue hardship would result.

YMCS promotes a positive, productive work environment within which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal opportunity and prohibits discriminatory practices. It is the responsibility of every team member to conscientiously follow this policy.

## **ANTI-HARASSMENT POLICY**

YMCS is committed to providing a work environment free of unlawful harassment. In accordance with applicable law, YMCS policy prohibits sexual harassment and harassment because of race, ethnic group, color, sex (including pregnancy, childbirth, or related medical conditions), national origin, registered domestic partner status, ancestry, religion, creed, physical or mental disability, marital status, medical condition, sexual orientation, veteran status, age, or the appearance of any of these conditions, and any other basis protected by federal, state, or local law. All such harassment is unlawful and will not be tolerated. This policy applies to all person involved in the operation of YMCS, including but not limited to, supervisors, managers, other team members, students, students’ family members, and vendors.

### *Sexual Harassment Defined*

Applicable state and federal law define sexual harassment as unwanted sexual advances, requests for sexual favors, or visual, verbal, or physical conduct of a sexual nature when: (1) submission to the conduct is made a term or condition of employment; or (2) submission to or rejection of the conduct is used as basis for employment decisions affecting the individual; or (3) the conduct has the purpose or effect of unreasonably

interfering with the team member's work performance or creating an intimidating, hostile, or offensive working environment. This definition includes many forms of offensive behavior. The following is a non-exhaustive partial list:

- Unwanted sexual advances;
- Offering employment benefits in exchange for sexual favors;
- Making or threatening reprisals after a negative response to sexual advances;
- Visual conduct such as leering, making sexual gestures, or displaying sexually suggestive objects, pictures, cartoons, or posters;
- Verbal conduct such as making or using derogatory comments, epithets, slurs, sexually explicit jokes, or comments about any team member's body or dress;
- Verbal sexual advances or propositions;
- Verbal abuse of a sexual nature, graphic verbal commentary about an individual's body, sexually degrading words to describe an individual, or suggestive or obscene letters, notes, or invitations;
- Physical conduct such as touching, assault, or impeding or blocking movements; and
- Retaliation for reporting harassment or threatening to report harassment.

It is unlawful for males to sexually harass females or other males, and for females to sexually harass males or other females. Sexual harassment on the job is unlawful whether it involves coworker harassment, harassment by a manager or supervisor, or harassment by persons doing business with or for YMCS.

#### *Other Types of Harassment*

Prohibited harassment on the basis of race, ethnic group, color, national origin, registered domestic partner status, ancestry, religion, physical or mental disability, marital status, medical condition, sexual orientation, veteran status, age, or any other protected basis, includes behavior similar to sexual harassment, such as:

- Verbal conduct such as threats, epithets, derogatory comments, or slurs;
- Visual conduct such as derogatory posters, photographs, cartoons, drawings, or gestures;
- Physical conduct such as assault, unwanted touching, or blocking normal movement; and
- Retaliation for reporting harassment or threatening to report harassment.

#### *Harassment Complaint Procedure*

YMCS's complaint procedure provides for an immediate, thorough, and objective investigation of any claim of unlawful or prohibited harassment, appropriate disciplinary action against one found to have engaged in prohibited harassment, and appropriate remedies for any victim of harassment. A claim of harassment may exist even if the team member has not lost a job or some economic benefit.

Any YMCS team member who believes that s/he has been harassed on the job, or becomes aware of the harassment of others, is encouraged to inform the offender that this behavior is unwelcome. A written or verbal complaint to the supervisor, manager, the Business Manager, or any other member of management should also be made as soon as possible. The complaint should be as detailed as possible, including the names of individuals involved, the names of any witnesses, direct quotations when language is relevant, and any documentary evidence (notes, pictures, cartoons, etc.)

All incidents of prohibited harassment that are reported will be investigated. YMCS will immediately undertake or direct an effective, thorough, and objective investigation of the harassment allegations. The investigation will be completed and a determination regarding the reported harassment will be made and communicated to the team member who complained and to the accused harasser(s).

If YMCS determines that prohibited harassment or other conduct that violates an YMCS policy has occurred, the organization will take effective remedial action commensurate with the circumstances. Appropriate action will also be taken to deter any future harassment. If a complaint of prohibited conduct is substantiated, appropriate disciplinary action, up to and including immediate termination, will be taken. Whatever action is taken against the wrongdoer will be communicated to the team member who complained. Applicable law prohibits retaliation against any team member who complains of prohibited harassment or who participates in an investigation.

YMCS encourages that all team members report any incidents of harassment immediately so that complaints can be quickly and fairly resolved. Please be aware that the Federal Equal Employment Opportunity Commission (EEOC) and the California Department of Fair Employment and Housing (DFEH) investigate and prosecute complaints of prohibited harassment in employment. Any employee who believes that s/he has been harassed or retaliated against for resisting and/or reporting may file a complaint with the appropriate agency. The nearest office is listed in the telephone book.

#### *Liability for Harassment*

Any team member of YMCS, who is found to have engaged in prohibited harassment is subject to disciplinary action, up to and including immediate termination of employment. Any team member who engages in prohibited harassment, including any supervisor or manager who knew about the harassment but took no action to stop it, may be held personally liable for monetary damages. YMCS does not consider conduct in violation of this policy to be within the course and scope of employment or the direct consequence of the discharge of one's duties. Accordingly, to the extent permitted by law, YMCS reserves the right not to provide a defense or pay damages assessed against team members for conduct in violation of this policy.

#### **DISABILITIES - REASONABLE ACCOMMODATION**

In accordance with applicable federal and state law protecting qualified individuals with known disabilities, YMCS will attempt to reasonably accommodate those individuals unless doing so would create undue hardship on YMCS. To ensure that YMCS understands the person's particular needs, any person who requires a reasonable accommodation in order to perform the essential functions of the job should contact the Business Manager and request such an accommodation.

YMCS is committed to engaging in a timely, good faith interactive process with any qualified person with a disability who requests an accommodation in order to ascertain whether an effective, reasonable accommodation exists. The request should specify what accommodation the individual believes is needed to perform the job. YMCS then will conduct an investigation to identify the barriers that make it difficult for the individual to have an equal opportunity to perform his or her job. YMCS, in consultation with the individual, will identify possible accommodations that will help eliminate the limitation.

#### **WORKERS' COMPENSATION**

Workers' Compensation is designed to ensure that employees who are injured, become ill or disabled on the job are provided with needed medical benefits and wage-loss protection. A team member who sustains a work-related injury should immediately notify his/her supervisor. Should the injury require the attention of a doctor, the principal or Business Manager can provide the number of the Workers' Compensation Carrier's Physician Network Referral Unit. For reporting regulations, team members who have an on-the-job injury are required to see one of YMCS's approved worker's compensation doctors – seeing one's own primary care provider is not equivalent. The School Office has a listing of clinics in the local area which are approved to treat employees reporting a work-related injury. In the case of an emergency, team members

should go to the nearest hospital emergency room for treatment and then utilize the Network Referral Unit if additional treatment is necessary.

## **CONFLICTS OF INTEREST**

Team members are expected to devote their best efforts and attention to the full-time performance of their jobs. Moreover, team members are expected to use good judgment, to adhere to high ethical standards, and to avoid situations that create an actual or potential conflict between their personal interests and the interests of YMCS. A conflict of interest exists when the team member's loyalties or actions are divided between YMCS's interests and those of another, such as a competitor, supplier, or customer. Both the fact and the appearance of a conflict of interest should be avoided. Any exceptions to this guideline must be approved in writing by the Principal and Chair of the Board of Directors. Part-time team members may engage in outside employment, provided that they disclose such employment and get written approval from their immediate supervisor. Failure to adhere to this guideline, including failure to disclose any conflicts or to seek an exception, will result in discipline, up to and including termination of employment.

## **PERSONNEL RECORDS**

The information in the team member's personnel file is maintained as both a convenient resource for the collection of a team member's information and to comply with various regulations. A team member's personnel file is always confidential, unless otherwise required by law, and must be kept up-to-date. The team member must inform the Business Manager immediately whenever there are changes in personal data (such as address, telephone number, number of dependents, and person(s) to notify in case of emergency) by filling out a Personnel Action Form (PAF) and submitting it to the Business Manager.

Team members have the right to request copies of all employment-related documents that they have signed. A team member may inspect only his or her own personnel file and only in the presence of the Principal or Business Manager representative. Only authorized managers and management personnel will have access to personnel records. However, YMCS will cooperate with – and provide access to personnel records to – law enforcement officials, and/or local, state, or federal agencies, in accordance with applicable law. All requests to review a team member's personnel record should be referred to the Business Manager. Confidential health/medical records are not included in personnel records. YMCS will safeguard them from disclosure and will divulge that information only (1) as allowed by law; (2) to the team member's personal physician upon written request of the team member; or (3) as required for workers' compensation cases.

Personnel files are the property of YMCS and may not be removed from YMCS's premises without written authorization from the Business Manager.

## **EMPLOYMENT OF RELATIVES**

Relatives of team members may be eligible for employment with YMCS only if the individuals involved are qualified, do not work in a direct supervisory relationship, and are not in job positions in which a conflict of interest could arise. Relatives of team members are subject to the same procedures and requirements as any other job applicant, no more and no less. Team members may not interview any relative seeking to join the YMCS team nor may that team member influence the decision to hire or not hire any relative who is a job applicant. YMCS defined "relatives" as spouses, registered domestic partners, children, siblings, parents, in-laws, and step-relatives. Present team members who marry or who become registered domestic partners will be permitted to continue working in the job position held only if they do not work in a direct supervisory relationship with one another or in job positions involving a conflict of interest.



## **PROPERTY, including PROPRIETARY AND CONFIDENTIAL INFORMATION**

Given the nature of YMCS's business, protecting proprietary and confidential information is of vital concern to YMCS. YMCS property includes not only tangible property, like desks and laptops, but also intangible property such as information, including student records and student grades. This information is one of the most important assets of YMCS. All team members share responsibility to ensure that proper security is maintained at all times.

### *Proprietary Information*

Proprietary information includes all information relating in any manner to the business of YMCS and its schools, students, parents, consultants, customers, clients, and business associates obtained by YMCS team members during the course of their work. This Handbook, for example, contains proprietary information. Occasionally, in the service of YMCS's mission, YMCS may choose to share otherwise proprietary information (e.g. best practices) with outside parties. Such documents will be prepared specifically for publication and dissemination. If an individual team member receives a request from an outside party for either paper or electronic copies of YMCS documents, that individual should direct the request to the Business Manager or their supervisor before disseminating documents.

### *Confidential Information*

Confidential information is any YMCS information that is not known generally to the public or the industry. Student lists, student cumulative files, student health files, student Individual Education Plans, personnel files, computer records, financial and marketing data, process descriptions, research plans, formulas, and trade secrets are examples of confidential information. In addition, in the case student information, federal law provides that information may not be disseminated except under certain limited conditions. (Family Educational Rights and Privacy Act (FERPA) 20 U.S.C. §1232g, 34 CFR Part 99). Personal information, including salary, history of employment or reasons for departure, is also confidential and may not be discussed with anyone other than one's supervisor or someone in the Business Manager. Team members will be subject to appropriate disciplinary action, up to and including termination for knowingly or unknowingly revealing information of a confidential nature.

### *Security*

To avoid loss of YMCS property, YMCS has safety plans, which specifically set out rules and procedures for maintaining control of entrances, exits, restricted areas, and other related security issues. Team members are expected to abide by these regulations.

All team members must observe good security practices. Team members are expected to take reasonable precautions to keep proprietary and confidential information secure from all persons who do not have legitimate reason to see or use such information. Failure to adhere to YMCS policies regarding proprietary and confidential information will be considered grounds for discipline, up to and including dismissal.

### *Obligations on Termination*

On termination of employment, whether voluntary or involuntary, all YMCS documents, computer records, and other tangible YMCS property in the team member's possession or control must be returned to YMCS. This includes but not limited to YMCS-issued laptops. In addition, any and all school supplies purchased with YMCS funds (including private grants, federal and state funding designated for the use of the organization, the school, and/or its students) are YMCS property and must be returned to YMCS. These items may include, but are not limited to, the following: computer equipment, software, professional books and binders received during training, dictionaries and other reference materials, bulletin boards, textbooks, leveled books, classroom books, library books, posters, consumable workbooks, office supplies, etc. This is

true regardless of purchase method; that is, furniture, equipment and supplies are YMCS property regardless of whether they were purchased directly using a purchase order or credit card, or purchased by the team member but later reimbursed by YMCS through its expense reimbursement process.

## **TECHNOLOGY USE AND PRIVACY**

YMCS provides various Technology Resources to authorized team members to assist them in performing their job duties for YMCS. Each team member has a responsibility to use YMCS's Technology Resources in a manner that increases productivity, enhances YMCS's public image, and is respectful of other team members. Failure to follow YMCS's policies regarding its Technology Resources may lead to disciplinary measures, up to and including termination of employment.

Technology Resources consist of all electronic devices, software, and means of electronic communication including, but not limited to, the following: personal computers and workstations; laptop computers; mini and mainframe computers; computer hardware such as disk drives and tape drives; peripheral equipment such as printers, modems, fax machines, and copiers; computer software applications and associated files and data, including software that grants access to external services, such as the Internet; electronic mail; telephones; cellular phones; pagers; and voicemail systems.

Access to YMCS's Technology Resources is within the sole discretion of YMCS. Generally, team members are given access to YMCS's various technologies based on their job functions. Only team members whose job performance will benefit from the use of YMCS's Technology Resources will be given access to the necessary technology. Additionally, team members may be required to successfully complete YMCS-approved training before being given access to YMCS's Technology Resources.

YMCS's Technology Resources are to be used by team members only for the purpose of conducting YMCS business. Team members may, however, use YMCS's Technology Resources for the following incidental personal uses so long as such use does not interfere with the team member's duties, is not done for pecuniary gain, does not conflict with YMCS's business, and does not violate any YMCS policy: (1) To send and receive necessary and occasional personal communications; (2) To prepare and store incidental personal data (such as personal calendars, personal address lists, and similar incidental personal data) in a reasonable manner; (3) To use the telephone system and cell phones for brief and necessary personal calls; and (4) To access the Internet for brief personal searches and inquiries during meal times or other breaks, or outside of work hours, provided that team members adhere to all other usage policies.

YMCS assumes no liability for loss, damage, destruction, alteration, disclosure, or misuse of any personal data or communications transmitted over or stored on YMCS's Technology Resources. YMCS accepts no responsibility or liability for the loss or non-delivery of any personal electronic mail or voicemail communications or any personal data stored on any YMCS property. YMCS strongly discourages team members from storing any personal data on any of YMCS's Technology Resources.

YMCS is aware that team members use electronic mail for correspondence that may be less formal than written memoranda. Team members must take care, however, not to let informality degenerate into improper use. As set forth more fully in the Harassment section of this Handbook, YMCS does not tolerate discrimination or harassment based on race, ethnic group, color, sex (including pregnancy, childbirth, or related medical conditions), national origin, ancestry, religion, creed, physical or mental disability, marital status, registered domestic partner status, medical condition, sexual orientation, veteran status, age, and any other basis protected by federal, state, or local law. Under no circumstances may team members use YMCS's Technology Resources to transmit, receive, or store any information that is discriminatory, harassing, or defamatory in any way (e.g., sexually-explicit or racial messages, jokes, cartoons).

Team members also must not use YMCS's Technology Resources to copy, retrieve, forward or send copyrighted materials unless the team member has the author's permission or is accessing a single copy only for the team member's reference. In addition, team members may not use any of YMCS's Technology Resources for any illegal purpose, violation of any YMCS policy, in a manner contrary to the best interests of YMCS, in any way that discloses confidential or proprietary information of YMCS or third parties, or for personal or pecuniary gain.

#### *Privacy*

All messages sent and received, including personal messages, and all data and information stored on YMCS's electronic-mail system, voicemail system, or computer systems are YMCS property regardless of the content. As such, YMCS reserves the right to access all of its Technology Resources including its computers, voicemail, and electronic-mail systems, at any time, in its sole discretion.

On occasion, YMCS may need to access its Technology Resources including computer files, electronic-mail messages, and voicemail messages. Team members should understand, therefore, that they have no right of privacy with respect to any messages or information created or maintained on YMCS's Technology Resources, including personal information or messages. YMCS may, at its discretion, inspect all files or messages on its Technology Resources at any time for any reason. YMCS may also monitor its Technology Resources at any time in order to determine compliance with its policies, for purposes of legal proceedings, to investigate allegations of misconduct, to locate information, or for any other business purpose.

Certain of YMCS's Technology Resources can be accessed only by entering a password. Passwords are intended to prevent unauthorized access to information. Passwords do not confer any right of privacy upon any team member of YMCS. Thus, even though team members may maintain passwords for accessing Technology Resources, team members must not expect that any information maintained on Technology Resources, including electronic-mail and voicemail messages, are private. Team members are expected to maintain their passwords as confidential. Team members must not share passwords and must not access coworkers' systems without express authorization.

#### *YMCS Property and Information*

All software in use on YMCS's Technology Resources is officially licensed software. No software is to be installed or used that has not been duly paid for and licensed appropriately for the use to which it is being put. No team member may load any software on YMCS's computers, by any means of transmission, unless authorized in writing in advance by the IT Department. Authorization for loading software onto YMCS's computers should not be given until the software to be loaded has been thoroughly scanned for viruses.

YMCS is very sensitive to the issue of protection of confidential and proprietary information of both YMCS and third parties ("Confidential Information"). Therefore, team members are expected to use good judgment and to adhere to the highest ethical standards when using or transmitting Confidential Information on YMCS's Technology Resources. Confidential Information should not be accessed through YMCS's Technology Resources in the presence of unauthorized individuals. Similarly, Confidential Information should not be left visible or unattended. Moreover, any Confidential Information transmitted via Technology Resources should be marked with the following confidentiality legend: "This message contains confidential information. Unless you are the addressee (or authorized to receive for the addressee), you may not copy, use, or distribute this information. If you have received this message in error, please advise [team member's name] immediately at [team member's telephone number] or return it promptly by mail."

Before transferring or copying any software from an YMCS Technology Resource to another computer, team members must request permission and receive written authorization from the IT Administrator.

YMCS has installed a variety of programs and devices to ensure the safety and security of YMCS's Technology Resources. Any team member found tampering or disabling any of YMCS's security devices will be subject to discipline up to and including termination.

YMCS may perform auditing activity or monitoring to determine compliance with these policies. Audits of software and data stored on YMCS's Technology Resources may be conducted without warning at any time.

## TEAM MEMBER VOICE AND INTERNAL COMMUNICATIONS

*YMCS encourages open, honest and direct communication. Candid and frequent communication is the best way to ensure we serve all our constituents - including students, parents, community members and teammates - in the best way possible. YMCS has developed a number of ways to keep the lines of communication open.*

### OPEN DOOR POLICY

YMCS has an Open Door Policy that encourages team member participation in decisions affecting them and their daily professional responsibilities.

Teammates are encouraged to discuss their job-related concerns or complaints with their supervisor or the school principal. Concerns can be raised in person, via mail, email, or telephone. YMCS believes that teammate concerns are best addressed through this type of informal and open communication. YMCS will also attempt to keep all such expressions of concern, the results of its investigation, and the terms of the resolution confidential. In the course of investigating and resolving the matter, however, some dissemination of information to others may be appropriate. No team member will be disciplined or otherwise penalized for raising a good-faith concern.

### ANNUAL STAKEHOLDER SATISFACTION SURVEYS

Each Spring, YMCS will use an independent external company to administer Satisfaction surveys of teammates, parents, and students. These anonymous surveys provide an opportunity for constituents to inform the organization about what works well and what could be improved. The Teammate Satisfaction survey gives YMCS team members the opportunity to evaluate the school environment as well as rate their school principal/supervisor. The results of this survey are factored into annual performance reviews and compensation decisions. Similarly, parents and students receive the opportunity to grade their principal and teachers.

### OTHER SURVEYS

Teammates may occasionally be asked for input on other topics during the course of the year through other surveys, focus groups or interviews. The results of these surveys are used to guide management decisions, and sometimes provide additional information related to concerns raised during the annual survey.

### SUGGESTION BOX

YMCS has a Suggestion Box located in the lobby, which any constituent (student, parent, community member, or teammate) can use to make comments or recommendations to the principal.

### UNIFORM COMPLAINT POLICY

Most complaints can be resolved by informal discussions between the concerned teammate and the other individual(s) involved, or the other individual(s)' principal/supervisor. If other mechanisms are insufficient to address concerns, teammates can also use YMCS's Uniform Complaint procedure, which is reserved for complaints which are not resolved after the informal process has been attempted and must be filed no later than 30 days after the incident. If the incident occurs at the end of the school year, the formal complaint must be filed by June 30 of the current school year. For extenuating circumstances, the deadline may be extended. Even when this formal complaint procedure is initiated, efforts may occur at any point to accomplish satisfactory informal resolution. In no case is there to be retaliation from either party.

*To process a formal community complaint:*

Any team member who wishes to lodge a formal complaint against an YMCS employee or employee practices should first meet with the principal or supervisor of the employee to discuss the problem in an attempt to reach a solution.

If the results of such a meeting are not satisfactory:

1. Complete and send a Uniform Complaint Form to YMCS. Upon receipt, YMCS will send a response letter, stating who will be working to resolve this complaint.
2. A copy of the complaint form will be provided to the employee against whom the charge is made with a request that the employee respond in writing to the appropriate administrator within 10 working days of receipt of the complaint. The employee shall cooperate in resolving the complaint.
3. If the complaint is not resolved, the YMCS administrator will review the complaint and related material, interview parties, and submit findings and recommendations to the Chair of the Board of Directors or designee.
4. The Chair of the Board of Directors or designee will notify the person filing the complaint and employee in writing of the final determination. A final decision will be issued in a timely manner, not to exceed 45 days, after the filing of the formal complaint.
5. If the person filing the complaint is not satisfied with the results, an appeal may be made to the Chair of the Board of Directors.

Employees impacted by use of the Uniform Complaint Form may choose to exercise rights given them by law or by employment agreement. Both the employee and the complaining party may have representation of their choice throughout the process.

If the concern is one of equity, YMCS recognizes the right of the complainant to file a complaint with the State Department of Education.

# PERFORMANCE MANAGEMENT

*YMCS is committed to being a world-class educational institution, which means achieving high levels of student academic performance through the work of effective educators. As a result, YMCS's practices related to performance management are a combination and balance of accountability and support. YMCS believes that all teammates should be held accountable for objectives and outcomes that they can influence - including, for educators and school principals,, growth in student achievement. At the same time, YMCS has a responsibility to provide extensive support to help individuals meet their objectives and enhance their own professional efficacy - by building capacity, offering guidance, and providing resources. YMCS's teammates are expected to actively participate in continuous improvement by being open to feedback and by using the resources and tools that YMCS provides, thereby modeling the learning process. YMCS's collaborative (rather than punitive) environment is ideal for striking this blend and balance of accountability and support.*

## PROFESSIONAL DEVELOPMENT

YMCS is committed to the professional development of all of its team members. For educators, YMCS provides one week of training before the start of the school year, on-site coaching and modeling throughout the school year by the school principal, and access to external workshops to cultivate teaching skills. YMCS may cover the cost of this professional development. Team members should talk with their supervisors about additional development opportunities and specific career paths.

## PERFORMANCE REVIEW

YMCS provides a culture in which communication is encouraged. In a similar fashion, performance expectations and reviews are part of an ongoing, year-round process in which a team member will discuss these issues with his or her supervisor. Such performance reviews may be formal or informal, and verbal or written. Examples of such ongoing review can include walkthroughs at the school, peer review, lesson observations and/or ongoing 360 degree feedback.

In addition, YMCS conducts periodic performance reviews for team members. Team members generally receive written performance evaluations once every year and as part of the process are also asked to provide self-evaluations.

The purpose of the review is to support the team member to become a stronger member of the team. Specifically, the review will evaluate the team member's current level of performance, to examine the progress made since the last review, and to establish goals for the team member's next review. Further, the review helps ensure that both the team member and his/her supervisor understand their respective roles in helping the team member achieving his or her career goals. During their performance reviews, team members are encouraged to discuss any issues raised, as well as any opportunities for advancement or career development within YMCS. A performance-based pay raise may occur within the annual appraisal process.

## CORRECTIVE REVIEW/DISCIPLINARY ACTION

In light of YMCS's balanced approach of both accountability and support, under normal circumstances, supervisors first informally coach and support team members to help increase performance before instituting any formal Corrective Review or disciplinary action. This increases an individual's likelihood of success in his or her position. In other words, a team member with a performance or behavior issue is typically given a warning so that he or she has an opportunity to correct the problem. If further coaching is necessary, a supervisor may elect to develop a written plan in order to help the team member correct the behavior. Should a supervisor's coaching be unsuccessful, a formal written warning of disciplinary action

may be necessary. None of the foregoing limits, or is to be construed to limit, YMCS's "at-will" employment policy in any way whatsoever.

Team members may be disciplined for poor job performance and/or misconduct, including but not limited to the following:

- Unsatisfactory work quality or quantity
- Sleeping on the job or leaving the job without authorization
- Insubordination
- Excessive absenteeism, tardiness, abuse of break/lunch privileges, or failure to notify supervisor in advance of anticipated tardiness or absence
- Dishonesty
- Discourtesy
- Failure to follow instructions or YMCS's procedures
- Disclosing or using confidential or proprietary information without authorization
- Falsifying or altering YMCS records, including the application for employment
- Harassing, including sexually harassing, team members or students
- Possessing a firearm or other dangerous weapon on YMCS property or while conducting YMCS business

In addition, corrective review or disciplinary action may be taken if the team member is unsuccessful in meeting their deliverables or other performance expectations. These deliverables and expectations are set by the supervisor of the team member, and for educators will include increasing student performance.

Though discharge or demotion for poor performance or attendance ordinarily will be preceded by an oral warning and a written warning, YMCS reserves the right to proceed directly to a written warning, or demotion, or termination, without resort to prior disciplinary steps, when YMCS deems such action appropriate or necessary.

A team member may be placed on investigatory leave without prior written warning or approval, usually for a period not to exceed fifteen calendar days, in order to review or investigate actions, including but not limited to, insubordination, acts endangering others, or other allegations or serious misconduct.

#### *Appeals to Corrective Review*

YMCS provides an internal Appeals process to any team member subject to Corrective Review/Disciplinary Action. If a team member disagrees with a Corrective Review, the team member should discuss the issue with his or her supervisor or that individual's supervisor. If the team member wishes to continue to pursue the Appeals process, the team member must present all material in writing concerning the issue to the Chair of the Board of Directors. The team member has thirty days from the date of the Corrective Review to make this presentation to the Chair of the Board of Directors, which will then issue a final decision within fifteen days.

#### **UPWARD FEEDBACK**

YMCS is committed to providing voice to all of its team members. In support of this principle, YMCS provides all team members an opportunity to engage in 360 degree feedback, in which the team member has an opportunity to reflect upon and inform management regarding the performance of his/her supervisor.



# COMPENSATION

*The compensation and evaluation system used at Yu Ming Charter School differs from that used in traditional K-12 public school systems. It is designed to:*

- *give the principal the flexibility s/he needs to attract teammates whose skills match the unique needs of the school,*
- *reward individuals who get results, and*
- *ensure YMCS's compensation levels are competitive with the marketplace.*

## BASE SALARIES

Base salaries are set according to the supervisor or site principal depending on:

- market rates (a range, based on an annual analysis of local district salary schedules and similar positions in other comparable organizations)
- an individual's experience and relevant expertise (e.g.: for a teacher, this may include fluency in multiple languages, experience with English language learners or Special Education, or relevant industry experience).

Individuals who may seem to have the same amount of experience on the surface may receive different base salaries because of their differing backgrounds and skills. Although salaries are NOT based on a step-and-column salary schedule, they are typically in the same range as local districts' salary schedules.

The Base Salary covers work done as part of an individual's job responsibilities during the regular work calendars for his/her position. Job description, work calendar and work schedules may be modified from time to time, and should be discussed with the principal prior to the beginning of each school year to ensure that expectations are clear.

## BASE SALARY INCREASES

Pay increases are determined according to school and individual performance, rather than a step-and-column salary schedule. Pay increases are typically made annually, at the start of each fiscal year.

The overall range for potential merit pay raise is set every spring/summer, based on several considerations: affordability in school budgets as affected by state funding levels, and changes in market rates.

Any individual's increase is based on performance, and is a combination of 3 factors, evenly weighted:

- School API growth (33.3%)
- Parent feedback based on end-of-year survey (33.3%)
- Principal/Supervisor evaluation (33.3%)

## STIPENDS

School teammates classified "exempt" may receive stipends for additional time or duties: i.e., duties that are not included in the typical job description and job responsibilities for an individual's role, and not included in an individual's work schedule or work calendar. Stipends are always discussed in advance of the work, and clear responsibilities or deliverables should be explicitly discussed and mutually agreed upon. Stipends are taxed as regular pay. Stipend duties may include:

Duty	Stipend amount	Pay schedule
Be a lead teacher	\$2500 per year	Divided by pay periods

Conduct summer training, professional development or curriculum development	\$1500-2000 per summer	1-3 payments, at principal discretion
Coach athletics (depends on number of students, length of season, number of competitions)	\$1000-2500 per school year	1-3 payments, at principal discretion
Teach students in a formal academic program during summer, intercession, or before/after school (includes prep time)	\$25-35 per hour	As earned during pay period
Supervise students in a non-academic supplemental enrichment program during summer, intercession, or before/after school	\$20-25 per hour	As earned during pay period
Coordinate testing	\$1000-2000 per year	1-3 payments, at principal discretion
Direct a special major academic program	\$1000-2000 per year	Divided by pay periods

### EXEMPT VS NON-EXEMPT CLASSIFICATION OF TEAM MEMBERS

All team members are classified as either exempt or nonexempt, according to job duties as determined by the provisions of the federal Fair Labor Standards Act. Non-exempt employees are covered by the overtime provisions of the federal Fair Labor Standards Act and by California wage and hour laws and are required to fill out timesheets accounting for all time worked in a pay period. Non-exempt employees are entitled to an overtime premium in accordance with state and federal law (see Overtime below). Exempt employees are salaried employees whose job duties exempt them from the overtime provisions of the Fair Labor Standards Act and the California wage and hour laws. Exempt employees are paid a fixed salary determined by the duties to be performed rather than the number of hours worked. All site principals and educators are exempt employees. Job classifications are noted on each position description that is provided with each team member's new hire paperwork. Any team member who needs a copy of his/her position description, or wishes to inquire about his/her classification should contact his/her principal/supervisor or the Business Manager.

### FULL-TIME vs. PART-TIME CLASSIFICATION OF TEAM MEMBERS

Full-time employees are those who work at least 32 hours per week. Part-time employees are those who are scheduled to work less than 32 hours per week. Temporary employees can be either full-time or part-time, but work for a period of 90 days or less. Temporary employees and most part-time employees are not eligible for medical, dental, vision, short- and long-term disability, or life insurance benefits. Employees who have been full-time for at least one full school year, but then become part-time are eligible to receive partial benefits.

### OVERTIME

Depending on YMCS work needs, team members may be requested to work overtime. Hourly, non-exempt team members will be paid overtime for working in excess of 8 hours per day and in excess of 40 hours per week. The principal/supervisor must approve all overtime in advance and sign all time sheets to indicate agreement.

### JOB DUTIES

Each team member will learn the various duties and responsibilities of his or her job during training or from his/her supervisor as part of orientation. Each team member should also be provided with a copy of the written job description for his/her individual position. In order to adjust to changes, it may become

necessary to modify job descriptions, add to or remove certain duties and responsibilities, or reassign a team member to an alternate job position.

## **PAY PROCEDURES**

YMCS team members are paid on a semi-monthly basis. Salaried team members are paid on the 15th day and the last working day of the month, with each paycheck including earnings for all work performed through the date of the payroll check. Hourly team members are similarly paid on the 15th day and the last working day of each month, with the payroll check on the 15th day of the month covering the period of time from the 25th day of the previous month to the 8th day of the month in which the payday falls, and with the payroll check on the last working day of the month covering the period of time from the 9th day to the 24th day of the month in which the payday falls. If a scheduled payday falls on a Saturday, Sunday or company-observed holiday, team members will be paid on the day preceding the weekend or holiday. Team members are paid for all work performed for YMCS (less withholding taxes and authorized deductions), whether or not the work is performed on premises.

# BENEFITS

*The benefits information in this handbook is only a summary of your benefit plans. Please understand that this general explanation is not intended to, and does not, provide you with all the details of these benefits. Therefore, this Handbook does not change or otherwise interpret the terms of the official Plan documents. If there is any conflict or difference between the information in this Handbook and the Plan documents, the Plan documents will govern. YMCS reserves the right to change or end these benefits at any time and for any reason, consistent with all laws. If you would like additional information on any of the benefits offered, please contact the Business Manager.*

## OVERVIEW OF BENEFITS

YMCS provides a benefits package to its regular, full-time team members who are regularly scheduled to work at least 32 hours per week. The benefits package includes medical, dental and vision insurance. It also includes life, short- and long-term disability insurance. Part-time team members who had previously worked at least one full school year as full-time YMCS team members (with benefits) are eligible to continue to receive benefit coverage. The amount of coverage is equal to the percentage of the team member's current (part-time) schedule. For example, an educator who was full-time for one full school year goes to part-time the following year, working 60%, of a regular schedule. This would qualify him to continue to receive a prorated amount: in this case, 60%, of YMCS's paid benefit coverage.)

YMCS believes that providing for a team member's future is important. All certificated team members (those with valid California Teaching Credential) automatically contribute to the State Teacher's Retirement System ("STRS") and other eligible classified team members automatically contribute to the Public Employee's Retirement System ("PERS"). YMCS also makes employer contributions to STRS and PERS at the level required by the retirement plan. Contributions to Federal Social Security will be made in accordance with federal law as appropriate. To maximize its ability to attract qualified staff, the Charter School will periodically evaluate the feasibility and appeal to candidates of offering a 403(b) in lieu of STRS/PERS membership.

## ATTENDANCE

Because YMCS depends heavily upon its team members to serve students and schools, it is important that team members attend work as scheduled. Dependability, attendance, punctuality, and a commitment to do the job right are essential at all times. A team member who is unavoidably detained or unable to come to work must notify his/her supervisor prior to scheduled arrival. Team members are expected to contact their supervisors each day they are unable to work. Any team member who is absent from work without providing sufficient explanation will be considered as having voluntarily resigned from his/her job.

## SICK DAYS

YMCS grants Sick Days to all full-time team members to provide them with flexibility to meet their and their families' medical needs. The total number of Sick Days granted, and the accrual rate, varies by position (see below). Sick Day balances can be carried over year to year, and there is no Sick Day carryover maximum. Upon separation of employment, whether voluntary or involuntary, the team member will not be paid for any unused Sick Days; instead team members receive retirement credit for accumulated but unused Sick Days from STRS or PERS, as provided by those retirement plans. Team members must record all sick days taken on the Time Off Approval Request Form for submission to his or her supervisor.

*Accrual of Sick Days*

Eligible team members accrue Sick Days every month, based on their regularly scheduled work week and continuous length of service, measured from the date of hire. Sick Days are accrued by team members at differing rates, according to their job classification. There is no limit on the amount of sick days any team member may accrue. Accrual rates for site team mates are:

- Principal: total of 12 days per school year; accrues at 8 hours per month
- Teachers: total of 7 days per year; accrues at 4.67 hours per month
- Business Manager & Office staff: (full time only): total of 7 days per year; accrues at 4.67 hours per month
- Classified staff (full time only): total of 12 days per year; accrues at 8 hours per month

Team members do not accrue Sick Days during leave of absences. Accrual recommences when the team member returns to work.

#### *Approvals for Sick Days*

Team members taking Sick Days must notify their supervisor as soon as practicable and, in no event, later than 1 hour before their scheduled starting time. Moreover, team members taking Sick Days must advise their supervisor of their anticipated return date and the need for work coverage. Finally, team members taking more than 10 consecutive or 15 total Sick Days in one year must comply with the medical certification requirements listed in the section on Family and Medical Care Leave.

#### *Sick Day Advances*

Team members are permitted to borrow on expected future accrual of Sick Days during the current school year only, and only with advance written approval from his or her supervisor. If a team member has used any Sick Days before they have been accrued, and then terminates his or her employment of YMCS for any reason, the amount of pay for any Sick Days taken that have not been accrued at the time of termination will be deducted from the team member's final paycheck.

### **PERSONAL TIME OFF**

YMCS grants Personal Time Off ("PTO") to full-time team members to provide them with the flexibility to meet both their work and personal needs. The total amount of PTO granted, and the accrual rate, varies by position (see below). PTO balances can be carried over year to year, with a maximum limit that varies by position. Upon separation of employment, whether voluntary or involuntary, the team member will be paid for any unused PTO at his or her base rate of pay at the time of separation. PTO can be used by eligible team members for any reason (e.g., vacation, illness, medical appointments, personal business), subject to approval by the team member's supervisor. A supervisor may set "blackout dates" during which Personal Time Off would have a disproportionate adverse impact on the organization, and requests for PTO will be denied. (For example: during STAR testing for classroom teachers) Team members must record all PTO on the Time Off Approval Form and receive written approval from his or her supervisor in advance.

#### *Accrual of Personal Time Off*

Eligible team members accrue Personal Time Off every month, based on their regularly scheduled work week and continuous length of service, measured from the date of hire. PTO is accrued by team members at differing rates, according to their job classification. The maximum limit on amount of PTO any team member may accrue and carry over varies by position. PTO accrual rates and caps for site team mates are:

- Principal: Total of 12 days per school year; accrues at 8 hours per month; 192 hour (24 day) maximum cap

- Teachers: Total of 3 days per school year; accrues at 2 hours per month; 48 hour (6 day) maximum cap
- Business Managers & Office staff (Full time only): Total of 3 days per school year; accrues at 2 hours per month; 48 hour (6 day) maximum cap
- Other classified staff (Full time only): Total of 12 days per year; accrues at 8 hours per month; 192 hour (24 day) maximum cap

Team members do not accrue PTO during leave of absences. Accrual recommences when the team member returns to work.

#### *PTO Advances*

Team members are permitted to borrow on expected future accrual of PTO during the current school year only, with advance written approval from his or her supervisor. If a team member has used any PTO before it has been accrued and then terminates his or her employment of YMCS for any reason, the amount of pay for any PTO taken that has not been accrued at the time of termination will be deducted from the team member's final paycheck.

### **PAID HOLIDAYS / PAID DAYS OFF**

Most YMCS team members observe scheduled days off on the school year calendar, as set forth by their principal each year. These days off are considered paid holidays that are accrued during the course of the work year. If unused (i.e. if a teammate works on a scheduled day off) the holiday does not "convert" into Personal Time Off, and does not roll over into subsequent years. Paid holidays / paid days off accrue proportionately as the school year progresses and are paid out upon departure. The number of paid holidays each team member is eligible for varies by job classification. The number of Paid holidays for full time teammates are:

- Principal: 20 holidays / paid days off
- Teachers: 63 holidays / paid days off
- Business Managers & Office Staff (Full Time and salaried only): 48 holidays / paid days off
- Other Classified Staff (Full time only): 10 holidays / paid days off

All Part Time positions are paid for hours worked only, according to timesheets, as established in advance by school year and school day calendar with the approval of the site principal. Part time team members do not receive paid days off.

Team members are only eligible for holiday pay on those holidays which fall within their normal work schedule as designated to the school calendar. Team members who are uncertain about which days off are considered paid holidays should check with their supervisors for a calendar.

Unless otherwise provided in this policy, all full-time team members will receive time off with pay at their normal base rate for each YMCS-observed holiday. Team members on a leave of absence are ineligible for holiday benefits that accrue while on leave.

Paid holidays that occur during an eligible team member's Personal Time Off will not be counted as PTO taken.

### **LEAVES OF ABSENCE**

Team members may take a temporary disability leave of absence if necessary to reasonably accommodate a workplace injury or a qualified disability under the Americans With Disabilities Act or the Fair Employment

and Housing Act. Before granting such a leave, YMCS may require a written certification from a health care provider certifying the need for the leave (this form available from the Business Manager). Such a leave will be for a period of time consistent with applicable law, but in no event shall extend past the date on which the team member becomes capable of performing the essential functions of his or her position, with or without reasonable accommodation.

Other than compensation from outside sources, e.g., disability insurance, a leave under this section will be unpaid.

There are frequent changes in the legislation governing leaves of absence, making them considerably (and understandably!) confusing. Any team member who may need to, want to or is considering taking a leave of absence should contact the Business Manager, or speak to his/her supervisor.

## **FAMILY AND MEDICAL CARE LEAVE**

YMCS provides family care and medical leave to eligible team members in accordance with the federal Family and Medical Leave Act of 1993 (FMLA) and the California Family Rights Act of 1994 (CFRA).

### *Eligibility*

A request for family and medical leave will be considered for all team members employed by YMCS for at least twelve months and who have worked at least 1,250 hours during the twelve months preceding the commencement of leave.

The following are reasons for leave under FMLA/CFRA:

- An employee's own serious health condition
- Care of a newborn child, newly adopted child, or care of a child newly placed in foster care;
- The care of a spouse, child, parent or domestic partner with a serious health condition. (Note that time taken to care for a domestic partner is covered by CFRA, but not FMLA.)

### *Amount of Leave*

Under FMLA/CFRA, eligible employees shall be entitled to twelve workweeks of designated family and medical care leave during a twelve-month period. The twelve-month period is measured forward from the date the team member first takes the family and medical care leave. Unless state law provides otherwise, leave taken under this policy will run concurrently with any other leave for which a team member may qualify.

The maximum amount of leave available to spouses or registered domestic partners who are both employed by YMCS is limited to a twelve week period total between the spouses or registered domestic partners when leave is taken for the birth, adoption, or foster placement of a child with the team member. Leave for such reason must be concluded within one year immediately following the birth, adoption or placement of the child.

Leave taken for the serious health condition of a team member or family member, including but not limited to a registered domestic partner, may be taken on an intermittent or reduced schedule basis, when medically necessary, with no minimum duration. Leave taken for the birth or placement of an adopted or foster child with the team member may be taken on a reduced leave schedule or intermittently, with a minimum duration being at least two weeks. Team members on leave for intermittent periods or on a reduced schedule may be required to transfer temporarily to an alternative, equivalent position which better accommodates the recurring periods of absence or reduced schedule.

However, leave because of the team member's disability for pregnancy, childbirth, or related medical condition is not counted as time used under California law (the California Family Rights Act). Time off because of pregnancy disability, childbirth or related medical condition does count as family and medical leave under federal law (the Family and Medical Leave Act). Team members who take time off for pregnancy disability and who are eligible for family and medical leave will also be placed on family and medical leave that runs at the same time as their pregnancy disability leave. Once the pregnant team member is no longer disabled, she may apply for leave under the California Family Rights Act, for purposes of baby bonding. YMCS will grant a request for a California Family Rights Act leave for birth/placement of a child of less than two weeks' duration on any two occasions. Any leave taken must be concluded within one year of the birth or placement of the child with the team member.

Note that leave under FMLA/CFRA may not extend beyond an established separation date.

#### *Compensation During Leave*

Family and medical care leave shall be without pay. In accordance with applicable law, YMCS may require team members on leave to use PTO and Sick Days to cover some or all of the leave. The use of PTO will not extend the length of a family and medical care leave.

#### *Procedure*

Requests for leave must be submitted at least thirty days prior to the commencement of leave and must be approved by the appropriate manager before the leave begins. If the event necessitating the leave becomes known to the team member less than thirty days prior to the requested leave date, the team member shall provide a request as soon as practical of learning of the need for leave and is encouraged to provide as much notice as possible under the circumstances. Requests for leave will be responded to within two business days of receipt.

If the need for leave is due to a planned medical procedure or planned supervision of a family member with a serious illness, the team member, in addition to providing advance notice, shall consult with the team member's supervisor regarding the scheduling of the procedure or supervision so as to minimize disruption to operations. The scheduling, however, shall be subject to the approval of the health care provider.

All granted leaves must have a specific date of return. Failure to return from leave in accordance with a mutually agreed date or acceptance of employment elsewhere may result in termination effective at the beginning of the leave of absence.

#### *Medical Certification*

Before granting a leave for the serious illness of the team member or his or her family member, YMCS shall require a written certification from a health care provider on a form approved by and available from the Business Manager, certifying the need for the leave or alternative schedule. This form shall be completed in its entirety and returned within fifteen days of the request for certification. When the leave is taken for the team member's own serious health condition, YMCS may require, in its own discretion and in accordance with applicable law, a second medical opinion regarding the necessity of the leave. If the first and second opinions differ, YMCS may require another binding opinion from a third health care provider approved jointly by YMCS and the team member. YMCS will bear the costs of any second or third medical opinions.

Requests for an extension of leave granted for a serious health condition must be supported in writing by a new certification by the health care provider certifying the need for continued leave.



Before returning to work after a family care or other leave, the team member must obtain a release to return to work from his or her health care provider, and must provide such release to the his/her immediate supervisor and the Business Manager.

#### *Reinstatement*

Before returning to work after a leave for the serious illness of the team member him or herself, YMCS shall require a written certification from a health care provider on a form approved by and available from the Business Manager, certifying that the team member is able to return to work and perform all of his or her job duties.

Under most circumstances, a team member returning from an approved family or medical care leave will be immediately reinstated to his or her original position or an equivalent position. However, the team member shall have no greater right to reinstatement than if the team member had been continuously employed rather than on leave.

Certain key team members may be denied job reinstatement if substantial and grievous economic injury to YMCS would result if the team member were reinstated. YMCS will notify a team member of his or her status as a key team member upon requesting leave, and of any intention to deny job restoration as soon as YMCS believes there is a possibility that the team member will not be reinstated at the end of the leave. If this notice is provided after the leave has commenced, the team member will be given a reasonable opportunity to return to work.

#### *Health benefits while on leave*

YMCS's portion of paid health insurance benefits will be maintained for enrolled employees for a maximum of twelve weeks of leave under the same terms applicable as if the employee were not on leave. Thereafter, the employee has the option of retaining insurance coverage at the employee's own expense. Any portion of health insurance premiums being paid by the employee will need to continue to be paid by the employee during the 12 week leave period in order for benefits to continue. The failure to make timely payment of any employee's share of insurance premium shall result in loss of insurance coverage if the premium is more than thirty days late. If an employee fails to return from leave upon completion of the approved leave, YMCS shall be entitled to recover from the employee the costs of any payments made to maintain insurance coverage unless the failure to return was for reasons beyond the employee's control.

#### *Time Off Accrual while on leave*

Personal Time Off and Sick Days will not accrue during the leave. Upon return from leave of absence, accrual will immediately resume.

### **PREGNANCY DISABILITY LEAVE**

YMCS recognizes that team members may be unable to work for temporary but extended periods of time due to pregnancy, childbirth, or related medical conditions. In California, pregnancy and pregnancy-related disabilities are covered under the Pregnancy Disability Leave Act ("PDL"). (Disabilities due to pregnancy or pregnancy-related conditions are covered under FMLA, but not the CFRA.)

Accordingly, YMCS provides Pregnancy Disability leave for the period of actual disability, up to a maximum of four months. Pregnancy Disability leave may be taken intermittently, or on a reduced-hours schedule, as medically-required. In addition, any team member with Pregnancy Disability may request or may be asked to transfer temporarily to a less strenuous or hazardous position or to less strenuous or hazardous duties if

the transfer is medically advisable and the transfer can be reasonably accommodated. Please contact the Business Manager for more information regarding Pregnancy Disability.

### **PAID FAMILY LEAVE**

The State of California also offers a Paid Family Leave (“PFL”) plan, which covers all employees who are covered by State Disability Insurance. PFL pays some compensation to employees who need time off from work to care for a child, parent, spouse or domestic partner, or to bond with a newborn child. PFL offers up to 6 weeks of benefits in a 12-month period. There is no minimum eligibility requirement for time worked under this plan. Finally, while PFL provides benefits, it does not provide job protection or return rights.

### **DOMESTIC VIOLENCE LEAVE**

Team members who are victims of domestic violence are eligible for unpaid leave. The leave can cover involvement in a judicial action, such as obtaining restraining orders, or appearing in court to obtain relief to ensure the health, safety, or welfare of the individual employee or his/her child. Notice and certification are required to take leave under this policy.

Certification may be sufficiently provided by any of the following: 1) a police report indicating that the team member was a victim of domestic violence; 2) a court order protecting or separating the team member from the perpetrator of an act of domestic violence, or other evidence from the court or prosecuting attorney that the team member appeared in court; or 3) documentation from a medical professional, domestic violence advocate, health-care provider, or counselor that the team member was undergoing treatment for physical or mental or abuse resulting in victimization from an act of domestic violence.

YMCS will, to the extent allowed by law, maintain the confidentiality of a team member requesting leave under this provision.

The length of unpaid leave a team member may take is limited to 12 weeks provided for in the federal Family and Medical Leave Act of 1993.

### **VICTIMS OF CRIME LEAVE**

A team member who is himself or herself a victim, or who is a family member or registered domestic partner of a victim of a violent felony may take time off from work under the following circumstances:

- The crime must be violent or a serious felony, as defined by law; and
- The employee must be the victim of a crime, or must be an immediate family member of a victim, a registered domestic partner of a victim, or the child of a registered domestic partner of a victim.
- An immediate family member is defined as: a spouse, child, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father or stepfather.
- A registered domestic partner means a domestic partner who is registered in accordance with California state law.
- The absence from work must be in order to attend judicial proceedings related to a crime listed above.

Any absence from work to attend judicial proceedings will be unpaid, unless the employee chooses to take PTO.

### **MILITARY LEAVE**

The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) is a federal law that gives current, former or prospective members of the U.S. armed forces (active and reserves) the right to

go back to a civilian job they held before military service, provided they return or apply for reinstatement within the time allowed by law. Team members who wish or who are required to serve in the military and take military leave should contact the Business Manager as soon as practical after knowing of the desire or the necessity to do so, to understand their rights before and after such leave.

### **TIME OFF FOR SCHOOL ACTIVITIES**

In accordance with the mission of the organization, YMCS team members are encouraged to participate in the school activities of their own child(ren). The absence is subject to the following conditions:

- Parents, guardians, or grandparents having custody of one or more children in kindergarten through grades 12 may take time off for a school activity;
- The time off for school activity participation cannot exceed eight hours in any calendar month, or a total of 40 hours each school year;
- Team members planning to take time off for school visitations must provide as much advance notice as possible to their supervisor;
- If both parents or guardians are employed by YMCS, the first team member to request such leave will receive the time off and the other parent or guardian will receive the time off only if the leave is approved by his or her supervisor;
- Team members must use PTO leave in order to receive compensation for this time off;
- Team members who do not have PTO available may take this time off without pay; and
- Team members must provide documentation to their supervisor upon request verifying that the team member participated in a school activity on the day of the absence for that purpose.

### **BEREAVEMENT LEAVE**

YMCS provides team members up to three days paid bereavement leave due to the death of an immediate family member. This includes a parent (including an in-law and step-parent), spouse, dependent, sibling, stepsibling, grandparent or grandchild. If a funeral is more than 500 miles from a team member's home, s/he may receive paid leave for five days with prior approval from his/her supervisor.

### **JURY DUTY**

A leave of absence for jury duty will be granted to any team member who has been notified to serve. For Up to the first 10 days of this leave, YMCS team members will be compensated by payment of an amount equal to their regular salary. YMCS does not provide jury duty pay after the first 10 days of service.

A team member on jury duty is expected to report to work any day s/he is excused from jury duty. A team member summoned for jury duty should notify his/her supervisor immediately and provide a copy of the jury notice and a copy of the jury duty payment stub (once payment has been received).

# SAFETY AND SECURITY

*YMCS is committed to providing a safe environment for both its team members and the pupils who attend our schools. YMCS has numerous safety procedures in place, including sign-in procedures requiring visitors to sign in and out at the schools. In addition, all team members and volunteers are required to submit to and to pass fingerprint clearances and TB testing.*

## **SAFE WORKPLACE**

YMCS recognizes that workplace violence is a growing concern at schools and offices across the country. YMCS is, therefore, committed to providing a safe, violence-free workplace and school environment. In this regard, YMCS strictly prohibits team members, students, parents, consultants, customers, visitors, or anyone else on YMCS premises or engaging in an YMCS-related activity from behaving in a violent or threatening manner. Moreover, as part of this policy, YMCS seeks to prevent workplace violence before it begins and reserves the right to deal with behavior that suggests a propensity towards violence even prior to any violent behavior occurring.

## **SMOKE-FREE WORKPLACE**

In compliance with government regulations, YMCS prohibits smoking in the workplace. Additional requirements dictate that YMCS schools remain smoke-free environments.

## **DRUG-FREE WORKPLACE**

YMCS strictly maintains a workplace that is free of drugs and alcohol and discourages drug and alcohol abuse by its team members and students. YMCS has a vital interest in maintaining safe and efficient working conditions and school environments for its team members and students. Substance abuse is incompatible with health, safety, efficiency, and success at YMCS.

The following are strictly prohibited by YMCS:

- Possession of alcohol or any illegal drug, intoxicant, or controlled substance while on the job or while on YMCS-owned or occupied premises.
- Use or being under the influence of alcohol or an illegal drug, intoxicant, or controlled substance while on the job or while on YMCS-owned or occupied premises.
- Driving a vehicle on YMCS business while under the influence of alcohol or an illegal drug, intoxicant, or controlled substance;
- Distributing, selling, manufacturing, or purchasing – or attempting to distribute, sell, manufacture, or purchase – an illegal drug, intoxicant, or controlled substance during working hours or while on YMCS-owned or occupied premises.

Failure to abide by this policy will result in disciplinary action up to and including immediate termination.

## **INSPECTIONS AND SEARCHES ON YMCS PREMISES**

YMCS believes that maintaining a workplace that is free of harmful materials is vital to the health and safety of its team members and students. These harmful materials include firearms, knives or other weapons; explosives and/or hazardous materials or articles; illegal drugs or other controlled substances; drug-related paraphernalia; alcoholic beverages; and/or unauthorized possession or use of YMCS property or proprietary and confidential information that a team member is not authorized to have in his or her possession. In addition, YMCS intends to assure its access at all times to YMCS premises and YMCS property, equipment, information, records, documents, and files. Accordingly, YMCS has established this policy concerning inspections and searches, and it applies to all YMCS team members.

In order to assure access at all times to YMCS property, YMCS reserves the right to conduct a routine inspection or search at any time for YMCS property on YMCS premises. Routine searches or inspections for YMCS property may include a team member's office, desk, file cabinet, closet, computer files, voicemail, electronic mail or similar places where team members may store YMCS property or YMCS-related information, whether or not the places are locked or protected by access codes and/or passwords. Inspections or searches for prohibited materials also may include a team member's pockets, purse, briefcase, lunch box, or other item of personal property that is being worn or carried by the team member while on YMCS premises. Because even a routine search for YMCS property might result in the discovery of a team member's personal possessions, all team members are encouraged to refrain from bringing into the workplace any item of personal property that they do not wish to be subject to inspection by YMCS. In addition, YMCS always reserves the right to conduct inspections and searches based on reasonable suspicion. Further information on this policy is available from YMCS's Legal Counsel.

Team members who are found to be in possession of prohibited materials in violation of this policy or in violation of other YMCS policies contained in this Handbook, will be subject to discipline, up to and including termination, regardless of YMCS's reason for conducting the search or inspection.

# TRANSITIONS

*YMCS is a unique and special place to work, and one in which many team members may choose to make their careers. For a variety of professional and personal reasons, team members may make a transition - either within the organization or elsewhere. YMCS strives to make all transitions as positive as possible.*

## CHANGES of STATUS

Status changes can be work related, such as:

- Position changes
- Compensation/pay changes.

They can also be personal changes, such as:

- Address/phone/name changes
- Emergency contact information changes

All changes need to be recorded on a Personnel Action Form and submitted to the Business Manager.

## PROMOTIONS

YMCS is committed to supporting career development for its team members, and thus actively promotes team members within the organization. All position changes are recorded as a status change (see above) and placed in the team member's personnel file.

## REFERENCES

YMCS team members may receive requests to provide references for former team members, whether they were direct reports or colleagues. YMCS's policies with regard to references for former team members are designed to protect both the organization and the individual supervisor or colleague from liability.

- *Written recommendation letters:* Because written recommendation letters are conventional in public education, it is at the discretion of the individual principal, supervisor or colleague to agree to write an honest letter of recommendation for a departing teammate. Principals, supervisors and teammates who choose to write letters of recommendation should provide the Business Manager with a copy for the team member's file.
- *Verbal references:* Individual principals, supervisors and colleagues are permitted to provide verbal references to prospective employers of former team members ONLY if the former or departing team member has signed an Authorization for Release of Information. This form, given to every departing team member and available from the Business Manager, releases YMCS and its current teammates from liabilities related to releasing information about a former teammate. Any individual team member receiving a request for verbal reference should check with the Business Manager to ensure the form has been completed before providing any information of any kind to a former teammate's prospective employer.
- *Information verification:* If a former team member has not completed the Authorization for Release of Information, any YMCS current team member who receives a request for reference or information about a former team member should simply refer the prospective employer to the Business Manager. In this case, YMCS's policy is for the Business Manager to verify only a team member's dates of employment, position(s) held and eligibility for rehire.

## **RESIGNATIONS**

When a team member decides to leave for any reason, his/her supervisor may use the opportunity to discuss the resignation in order to better understand the reason for departure. In addition, it is requested that the team member provide YMCS with a written two-week advance notice period.

## **TERMINATIONS**

A team member may be terminated involuntarily for reasons that may include poor performance, misconduct, or other violations of YMCS's rules of conduct. Notwithstanding these lists of rules, YMCS reserves the right to discharge or demote any team member for any reason with or without cause and with or without prior notice.

## **EXIT INTERVIEWS**

From time to time, or at the request of an exiting team member, YMCS will conduct an exit interview. The purpose of the exit interview is to talk about the reason for leaving and for getting suggestions which will make YMCS a better place to work. If a team member has not already received their final paycheck or information about their benefits/continuation coverage, these will be provided as well. Prior to a team member's exit interview, all YMCS property must be returned.

Finally, nothing in this policy is intended to alter the at-will status of employment with YMCS. Either a team member or YMCS may terminate the employment relationship at any time with or without cause and with or without prior notice (although we request and try to give two weeks notice). YMCS reserves the right to terminate any employment relationship, to demote, or to otherwise discipline any team member without resort to the above disciplinary procedures.

## **IN CLOSING**

Many of YMCS's policies and team member benefits have been treated only briefly in this Handbook. If you have any questions or want more information, your supervisor or the Business Manager will be glad to answer your questions, help with problems or respond to your feedback.

## ACKNOWLEDGEMENT

PLEASE READ THIS TEAM MEMBER HANDBOOK AND FILL OUT AND RETURN THIS PORTION TO YOUR SUPERVISOR OR THE BUSINESS MANAGER WITHIN ONE WEEK OF RECEIVING THIS HANDBOOK.

Team member Name: \_\_\_\_\_

This is to acknowledge that I have received a copy of Yu Ming Charter School' team member handbook. I have read the handbook and agree to abide by the rules, policies, and standards set forth in the handbook.

I also acknowledge that my employment with YMCS is not for a specified period of time and can be terminated at any time for any reason, with or without cause or notice by me or by YMCS. I acknowledge that no oral or written statements or representations regarding my employment can alter the foregoing. I also acknowledge that no supervisor, manager, or other team member has the authority to enter into an employment agreement--express or implied--providing for employment other than at-will. The at-will relationship can only be modified in writing signed by both the Principal and the Chair of the Board of Directors of YMCS.

I further acknowledge that, except for the policy of at-will employment, YMCS reserves the right to revise, delete, and/or add to the provisions of this team member handbook. All such revisions, deletions, or additions must be in writing and must be signed by the Business Manager. No oral statements or representations can change the provisions of this team member handbook.

Finally, I understand that the foregoing agreement concerning my employment at-will status and YMCS's right to determine and modify the terms and conditions of employment, is the sole and entire agreement between me and YMCS concerning the duration of my employment, the circumstances under which my employment may be terminated, and the circumstances under which the terms and conditions of my employment may change. I further understand that this agreement supersedes any and all prior agreements, understandings, and/or representations concerning these topics.

Date:

Signed:

TO BE PLACED IN TEAM MEMBER'S PERSONNEL FILE



## Appendix V-c: Comprehensive School Safety Plan

### *Table of Contents*

INTRODUCTION .....	114
CAMPUS SAFETY AND SECURITY.....	114
Entrances and Exits.....	114
Releasing Students .....	114
Visitors Policy .....	114
Fingerprinting Policy.....	116
Registered Sex Offender Policy .....	116
EMERGENCY PREPAREDNESS.....	118
Drills .....	118
Civil Defense Procedures .....	119
Alert Signals.....	119
Staff Responsibilities .....	119
Emergency Procedures .....	120
First Aid .....	121
DISASTER PLANS .....	121
Fire.....	121
Earthquake.....	121
Flood/ Severe Weather.....	122
Gas Line Break.....	122
Water Main Break.....	122
Water Contamination.....	122
Chemical Spill/ Incident.....	122
Lockdown/Shooting Incident .....	123
Bomb Threat .....	123
Explosion.....	123
Death/Suicide.....	124
Intruders/ Vicious Animals.....	124
SCHOOL UNIFORMS.....	124
STUDENT DISCIPLINE .....	124
Discipline in General.....	125
Suspension .....	125
Expulsion.....	128
ANTI-DISCRIMINATION AND ANTI-HARASSMENT POLICY.....	130
PREVENTION OF CHILD ABUSE POLICY .....	132
Reporting Suspected Abuse/Neglect.....	132
Reporting Problems At The School Site .....	132
EMPLOYEE CONDUCT WITH STUDENTS.....	133

## INTRODUCTION

Yu Ming Charter School is committed to maintaining safe and secure campuses for all of its pupils and staff. To that end, this Comprehensive School Safety Plan covers the School's policies and expectations regarding the practices of each school in maintaining the security of the physical campus, responding appropriately to emergencies, increasing the safety and protection of students and staff, and creating a safe and orderly environment that is conducive to learning.

All school employees should receive training in the Comprehensive School Safety Plan upon joining the school, and should review any changes to the Plan annually.

## CAMPUS SAFETY AND SECURITY

Each school and its staff members will maintain policies, practices and procedures so that the campus is physically secure and safe.

### Entrances and Exits

The school principal and office manager should develop procedures so that students, staff, parents and community members can enter and exit the building in a safe and orderly way, and that the building is secure from unauthorized entry during non-school hours, as follows:

- Designating individuals to lock the school building and/or grounds when not in use
- Training school staff members to maintain the security of the building when working during non-regular working hours (e.g. not propping doors open, re-securing the building after leaving)
- Maintaining a practice of locking doors that are not being regularly used, even during school hours
  
- Posting signs requesting that visitors sign in at the main office
- Establishing a culture in which any adults without a visitor or staff badge and any children not enrolled at the school are escorted immediately to the main office
  
- Periodically testing the security system according the manufacturer or vendor instructions, to ensure it is functioning
- Creating a dismissal plan and student pick-up traffic plan to avoid congestion of the parking lot and local streets, and to prevent students from crossing traffic unnecessarily

### Releasing Students

School employees are responsible for releasing students to parents, legal guardians or other persons designated by parents or legal guardians, unless formally modified by a court order served to the school.

In the event that employees are uncertain of the propriety of releasing a student, they should locate or contact the school principal, principal's designee or School counsel before releasing the student.

### Visitors Policy

The School encourages interested members of the community to visit our schools. To avoid potential disruptions to learning, to provide visitors with the information they need, and for the safety of students and staff, ALL visitors should register immediately upon entering any school building or grounds. Visitors shall sign in at the beginning of their visit, receive a visitor badge, and sign out at the end of their visit. Students

from other schools as well as students who have ended their school day are not to be on campus unless accompanied by parents/guardians or with the permission of the site administrator.

In registering as a visitor, the sign-in form should include spaces for the following information

- Name;
- His/her purpose for entering school grounds;
- Destination within the school
- Time in and out

At his/her discretion, the principal, office manager or designee may also request

- proof of identity
- address
- occupation and company affiliation
- age (if less than 21); and any other information consistent with law.

Parents and guardians visiting during the school day for any purpose other than picking up at or dropping off a child at the beginning or end of the school day as part of the normal school day schedule should also be requested to sign into the visitor log or a special log for parents. This applies to parents and guardians who are picking up a student early (e.g. for a medical reason) or dropping off a student late (e.g. tardy), as well as parents and guardians who are on campus to volunteer in their child's classroom.

School employees should follow normal check-in procedures upon arrival for work and should wear badges signifying that they are School employees.

VIP Visitors accompanied by any Board member may be requested to register as a visitor at the discretion of the accompanying Board member.

Students not enrolled at the school who wish to use the school grounds for recreation during the school day are, at the discretion of the principal, also subject to the School's visitor policy.

The principal or designee may refuse to register any visitor if he or she reasonably concludes that the visitor's/outsider's presence would disrupt the school, students or employees, would result in damage to property, or would result in the distribution or use of a controlled substance. (Penal Code 627.4).

The principal or designee may request that a visitor/outsider who has failed to register, or whose registration privileges have been denied or revoked, to promptly leave school grounds. If necessary, the principal or designee may call the local police to enforce the departure of the visitor/outsider. When a visitor/outsider is directed to leave, the principal or designee shall inform the visitor/outsider that if he or she reenters the school within seven (7) days, he or she will be guilty of a misdemeanor and subject to a fine and/or imprisonment. (Penal Code 627.7).

All schools shall inform parents annually about the school's policies regarding visitors/outsiders, and remind parents that to maximize safety and security they should also register when visiting the school.

This visitor/outsider policy is subject to the further terms and conditions contained in The School's Registered Sex Offender Policy, set forth below.

### Fingerprinting Policy

For the protection of students, California State law requires criminal background checks for all public school employees, as well as any individual working alone with minors in a school setting. In most cases, fingerprinting is completed with a “Live Scan” machine which takes an electronic picture of the fingerprints (rather than using an ink pad). The fingerprints are then compared to the Federal Bureau of Investigations (FBI) and/or Department of Justice (DOJ) databases.

#### **Who should be fingerprinted**

All new school site employees must be fingerprinted and cleared before they begin work. Individuals who were previously fingerprinted when they worked in another school district must be fingerprinted again to ensure that The School is notified if the person subsequently commits a felony or misdemeanor.

In addition, any volunteers who have the occasion to be alone with a pupil while not in the presence of a credentialed School employee must receive fingerprint clearance prior to volunteering on campus. Volunteers do not have to be fingerprinted only if they are working under the direct and continual supervision of a credentialed school employee in the same room, and will have no occasion to be alone with a pupil. This policy also applies to parents/guardians of students who volunteer at the school and may have the occasion to be alone with a pupil other than their own child.

The actual background check depends on the individual’s residency history. If the individual has resided in the state of California for more than 5 years, only DOJ check is required. If the individual has resided in the state of California for less than 5 years, DOJ and FBI checks are both required.

Note that most DOJ background checks take less than seven days, sometimes more. FBI background checks take considerably longer. Individuals who wish to work or volunteer at the School should plan to get fingerprinted as quickly as possible to avoid delays in commencing work or volunteer activities.

#### **Who pays for fingerprinting**

The School pays for Live Scan (fingerprinting) services for employees, using school general funds. Volunteers are requested to cover the cost of their own fingerprinting. If a potential volunteer is not able to pay for such fingerprinting, then the cost of the fingerprinting may be paid by the school’s booster club.

Please see the School Office Manager for specific details about how to get fingerprinted.

### Registered Sex Offender Policy

For the protection of pupils while they are traveling to and from school, attending school, or at a school-related activity, principals and their designees should respond appropriately when apprised of information that a registered sex offender resides or works within two (2) miles of the School, or otherwise may be likely to attempt to visit the School for any reason whatsoever.

In accordance with “Megan’s Law”, the principal or designee shall notify parents/guardians annually of the availability of the CD-ROM from local law enforcement regarding registered sex offenders, and recommend that they utilize the information contained on the disk, and that information about registered sex offenders may be obtained from the California Attorney General’s Megan’s Law website, found at <http://meganslaw.ca.gov>, (Penal Code 290.4 and Parra Act), subject to the disclaimer found on said website.

The School and its employees shall be immune from liability for the good faith dissemination of sex offender information so long as the dissemination is in the manner and to the extent authorized by law. (Penal Code 290).

When a school has received information about a registered sex offender from any source, the principal or designee may, on a case-by-case basis, notify staff, including but not limited to, campus supervisors, bus drivers, staff who may be involved in visitor/outsider registration, and teachers. If the principal or designee informs any staff member of the information about a registered sex offender, the principal or designee shall also inform the staff member of the following:

- a) The school will share public registered sex offender information with staff members of a particular school to assist in identifying a danger;
- b) Any person who uses registered sex offender information to commit a felony will be subject to criminal penalties; and
- c) Staff is not permitted to notify any parents or any other members of the community of any information received pursuant to this policy without the written permission of the principal or designee.

If a suspected registered sex offender is seen on or nearby school grounds, and is not a parent or guardian of a pupil at the school, staff members shall immediately inform the principal or designee. When the principal or designee receives information that a suspected registered sex offender may be on or nearby school grounds or around any pupil, he or she will determine whether the suspected registered sex offender has received written permission for the entry onto school grounds, is a parent or guardian of a pupil at the school, and if possible, is actually a registered sex offender. Any such registered sex offender who does not have written permission for the entry onto school grounds or is not a parent or guardian of a pupil attending the school will be promptly directed to leave by the principal, who will notify law enforcement immediately. Law enforcement will determine if the registered sex offender is in violation of parole or probation conditions.

If a school learns or is notified that a registered sex offender is a parent/guardian of one or more pupils who attend the school, the principal or designee should attempt to schedule a meeting with the parent/guardian for the following purposes:

- a) To establish a positive, cooperative working relationship to the extent possible;
- b) To discuss the incident(s) leading to the registration requirement, (the School recognizes that the parent/guardian is not required to discuss any criminal or personal history with representatives of the School);
- c) To explain the limitations placed upon the parent's/guardian's participation in school programs, activities or visits, as specified in this policy;
- d) To advise the parent/guardian that the regulations limiting his/her access to children at school will be strictly enforced with the assistance of law enforcement personnel, if required;
- e) To develop joint strategies with the parent/guardian for "normalizing" the educational experience of his/her children to the fullest extent possible; and
- f) To be advised of any judicial restraining orders or conditions of probation or parole that may limit the parent's/guardian's ability to participate in school activities.

This meeting shall be held on school grounds unless there is a concern for the safety or welfare of pupils or staff, and in that event, it may be held at a location within the principal's or designee's discretion. If this meeting with the parent is not held, the principal or designee shall notify the parent/guardian in writing of the information contained in this policy. The School recognizes the following rights of the parent/guardian to participate in his/her child's education:

- a) To transport his/her child to and from school;
- b) To attend regularly scheduled parent conferences with the teacher, principal or other school official; and
- c) To attend a regularly scheduled school program or activity in which their child is a participant.

The parent/guardian may not extend their presence at school beyond what is reasonable to exercise the aforesaid parental rights, and to that end, a registered sex offender shall not:

- a) Serve as a school or class volunteer;
- b) Act as a chaperone on a school field trip;
- c) Be in the presence of children for any reason other than for the parent rights stated herein; and
- d) Make individual contact with any student other than his/her own while at school or during a school activity.

Staff shall provide observation and/or supervision of a parent/guardian registered sex offender who is visiting a school or participating in a school activity defined herein.

When a parent/guardian is a registered sex offender, the school will make an effort to preserve the confidentiality of information obtained pursuant to the Megan's Law notification process to the fullest degree possible. School officials may share relevant information with employees as needed but will not share the information with unauthorized employees, other parents or with the community at large. In order to avoid a breach of confidentiality, copies of forms, materials or information distributed or used in connection with the implementation of this policy should be collected and/or destroyed. Under no circumstances is it appropriate to post notices, photographs, or the identity of a parent/guardian registered sex offender on school bulletin boards.

All schools shall inform parents annually about the existence of this policy regarding registered sex offenders. All schools shall cooperate to the fullest extent possible with local law enforcement for receiving, communicating and disseminating information concerning registered sex offenders.

NOTE: Pursuant to Penal Code 290(q), any person who uses registered sex offender information to commit a felony will receive a five-year state prison term; any person who uses registered sex offender information to commit a misdemeanor will be fined at least \$500 and not more than \$1000.

## EMERGENCY PREPAREDNESS

Every school should have emergency preparedness procedures readily on hand, including a list of up to date emergency contact numbers. This information should be discussed and disseminated before school starts, ideally at an all school staff meeting just when the teachers return to duty.

### Drills

It is the principal's responsibility to schedule emergency drills throughout the year, and record the date and time of each drill. The Office Manager may be asked to help out. Those drills are:

- **Fire Drill:** At least once per quarter, a fire drill should be conducted in which all pupils, teachers, and other employees are required to vacate the building.
- **Civil Defense Drill:** A Civil Defense Drill should be conducted at least twice each school year following the school's Civil Defense Procedure.
- **Earthquake Duck & Cover Drill:** This drill should be performed twice per school year.
- **Major Disaster Drill:** This drill should be performed twice per school year so personnel are oriented to the School's Major Disaster Plan.

### Civil Defense Procedures

Civil defense procedures are established to promote the safety of children and adults during a period of civil emergency. The local Civil Defense and Disaster Council is responsible for coordinating disaster planning among the cities in your area. It is through this coordination that information and warning notifications are communicated. An Emergency Warning System, which includes sirens strategically positioned throughout the school's county, becomes the major Civil Defense alarm.

In addition, schools will receive warning through telephone communications from the local county office.

### Alert Signals

The ability to respond quickly and efficiently when a major disaster strikes is important so that we are to provide protection for students and school staff. In order to be better prepared, the staff, students and parents should be informed of their responsibilities following a major disaster.

#### **At the sound of the "Alert" signal:**

- All students in transit between classrooms, in restrooms, etc., will walk to their assigned classrooms.
- Children on the playground or library will return to their assigned classrooms.
- Each teacher will stay in the classroom with his/her students.
- Each custodian will report to the school office for instructions.

#### **At the sound of the "Take Cover" signal:**

- Students will position themselves under desks or tables.
- Students on the playground or out of doors will drop, face down on the ground.
- Open all doors; leave windows as they are.
- The teacher should be ready with stories, songs, guessing games, etc., in case of an extended waiting period.

#### **At the "All Clear" signal:**

- Children will resume their regular class activities.
- When a building is unsafe to resume classroom instruction or if the situation has made the streets and sidewalks hazardous, the superintendent (or designee) will declare the premises unsafe.
- If an evacuation is found necessary, the principal will post on a conspicuous place, the new location of the students. A notice or letter to parents designating a site as well as procedures should be included in the first day packet going home with students.

### Staff Responsibilities

In the event of a disaster or civil defense alert, individuals on the school site have the following responsibilities:

#### **Principal**

- Sound appropriate alarm to evacuate building (fire drill) or take cover within the building (civil defense).
- Following fire drill procedures, check the building to ensure that all students, personnel and visitors have evacuated the building.
- Provide for administration of first aid and request other emergency assistance as needed.

- Keep the Home Office and your local county office informed and, if necessary, set up a telephone communications at a nearby residence or business.
- Give directions to police in search clearing procedures and take full responsibility for search.
- Coordinate supervision of students and all clean-up or security efforts.

#### **Teachers**

- Carry out appropriate emergency procedures to ensure the safety and welfare of students.
- Supervise children and maintain calm and order.
- Make sure you have access to the classroom copy of the students' emergency cards.

#### **Office Manager**

- Assist and take direction from the principal.
- Make sure first aid supplies are handy in case they are needed.
- Carry out other duties as assigned.

#### **Custodial Engineers**

- Shut off the valves for gas, water, electricity and air conditioning (if necessary).
- Open all gates and doors to assembly and exit areas.

#### **Aides, Volunteers and Other Adults**

- Should assist teachers working with students to keep them safe, orderly and comfortable.
- Be on call for Administrators' requests.

#### **Community Council**

- In advance of emergencies, the Community Council should ensure the following emergency supplies are stored:

Student Emergency Packets (1 per student)  
 2 quarts of water  
 Solar blanket  
 Food for two days  
 Note from parents with emergency instructions

#### **School Emergency Supplies:**

First aid kits  
 Flashlights  
 Batteries  
 Radios  
 Megaphone  
 Walkie-talkies

#### Emergency Procedures

All classrooms should have emergency exit charts posted near the door(s). In the case of an emergency, every adult should be aware of his/her role and responsibilities and follow these procedures:

1. Principal assesses the situation.



2. Principal notifies all staff members of the emergency via PA, fire alarm, and/or megaphone.
3. Assigned person calls 911.
4. Assigned person notifies APS headquarters.
5. Principal or assigned person meets with emergency crews.
6. Assigned person(s) ensures all classrooms, hallways and restrooms on first floor are empty after escorting students their students to assigned location.
7. Assigned person(s) ensures all classrooms, hallways and restrooms on second floor are empty after escorting students their students to assigned location
8. Assigned person(s) ensures the cafeteria and gym are empty.
9. Assigned person(s) greet, organize and comfort students outside the building.
10. Each teacher takes role and Lead Teachers pick up the names of any missing students and report these names to the emergency crew chief and the Principal.
11. Assigned person(s) will direct students who need first aid to an assigned location.
12. Principal determines, in consultation with the emergency crews, whether to release students to their homes or to return students to classes and makes announcement via megaphone.
13. If students and staff are dismissed for the day, an assigned person(s) will be responsible for securing the building against vandalism and theft.
14. All classroom teachers will ensure that students are released to guardians' care.
15. In the case that counseling services are subsequently needed by any students, the Principal and an assigned person will coordinate that effort.
16. In the case that media coverage is an issue, Principal and an assigned person will control and organize press releases and media requests.

### First Aid

The First Aid area should be located at an assigned place and properly stocked at all times.

The First Aid team will consist of individuals assigned by the principal or designee.

## **DISASTER PLANS**

Whenever there is any type of disaster, the primary concern is the safety of the students. The following general guidelines will offer assistance in a variety of disaster situations. Each teacher should also display Disaster Plan guidelines prominently in each classroom.

### Fire

1. Principal, custodians and/or office manager will determine the location of the fire.
2. Office manager will phone 911, picks up emergency card binder and student medication and leaves the building prepared to phone parents of any injured child.
3. Custodian or principal will sound the fire alarms.
4. Staff will follow emergency procedures previously described.
5. Students should leave the room in a single file, walk briskly but carefully, and stay in their class group when they reach their designated spot.

### Earthquake

If indoors:

1. All drop down to the floor and duck and cover.
2. Turn away from windows.
3. Take cover under a desk or table or against an interior wall.
4. Cover head with arms or hold to the cover and be prepared to move with it.
5. Hold the position until the ground stops shaking.
6. When initial shaking stops, principal or office manager sounds alarms to evacuate the building.

7. Staff to follow emergency procedures previously described.

If outdoors:

1. Move away from buildings, poles and overhead wires.
2. Lie down or crouch low to the ground.
3. Look out for dangers that demand movement.
4. Be prepared to duck and cover again due to after shocks.
5. Staff to follow emergency procedures previously described.

#### Flood/ Severe Weather

Warnings of severe weather are usually received via public radio or the State Warning Center. If time and conditions permit, students may be sent home. However, if the weather conditions develop during school hours, without sufficient warning, students should be held at school.

The principal will assess the situation and make an announcement over the PA or megaphone to A) evacuate, B) stay in classes or C) release students to go home.

See emergency procedures previously described for evacuation directions.

#### Electrical Failure

1. Principal and/or custodian notify the electrical company (PG&E) at 800-743-5000.
2. Office staff and classroom teachers turn off computers and other equipment that might be damaged by a power surge when the service is restored

#### Gas Line Break

1. Principal and/or custodian notify PG&E.
2. Principal and/or custodian notify the Fire Department.
3. Staff to follow the emergency procedures previously described.

#### Water Main Break

1. Principal and/or custodian notifies the water department.
2. Custodian shuts off water.
3. Principal or notifies the police.
4. Principal determines if it is necessary to follow the emergency procedures on page 6 to evacuate students and staff.

#### Water Contamination

1. Instruct teachers to move students away from drinking fountains and sinks.
2. Notify school office and APS headquarters.
3. Have custodian turn off pressure to drinking fountains and sinks.

#### Chemical Spill/ Incident

If Indoors:

1. Block or rope off area – DO NOT TOUCH ANYTHING.
2. Evacuate room and TURN OFF air conditioning system.
3. Notify school office and Head Custodian of the incident - contact 911 if necessary.
4. Head Custodian should check for chemical safety data to determine clean up procedure.

If Outdoors:

1. Upon hearing of a chemical leak (usually from the fire department or other city office) the principal will determine if students should be evacuated.

2. Move away from buildings, poles and overhead wires.
3. Close doors and windows and TURN OFF air conditioning system.
4. If it is necessary to leave the site, move crosswind, never more directly with or against the wind which may carry fumes.
5. Give first aid.
6. Staff to follow the emergency procedures previously described.

### Lockdown/Shooting Incident

If a shooting takes place the first priority is to shelter students and staff. On hearing shots or an announcement from Principal:

1. Teachers close and lock all classroom doors and windows immediately.
2. Teachers take roll.
3. Teachers calmly direct students to duck under their desks.
4. Principal calls 911.
5. Principal assigned person ensure students are not in the hallways or bathrooms. Students found in these areas are immediately escorted to a secure classroom or office.
6. Office personnel close and lock all office doors and windows immediately.
7. Nobody leaves their secure sites until emergency crew members escort them to safety.
8. Assigned person(s) will control and organize media.
9. Assigned person(s) will ensure that counseling services are available as soon as possible.

### Bomb Threat

There are two primary ways a bomb threat may arise. One is through a phone call or written letter in which a bomb is discussed. The other is through a citing of a suspicious object. Threats should be handled quickly and efficiently as if they were real and life threatening.

If there is a phone call or written threat of a bomb on campus, the person who took the call or read the note will:

1. Notify Principal immediately.
2. Try to obtain information from the caller such as where the bomb is, where it is set to explode, what it looks like, what kind of bomb it is, why it is there and who the caller is. Note any identifying features about the caller (i.e. gender, speech patterns).

If there is a citing of a suspicious object, the person would:

1. Notify Principal immediately.
2. Do not touch the object but note any identifying features to describe it to the Principal and emergency crews.

In all cases:

1. If Principal determines to evacuate, staff follows emergency procedures previously described.
2. Before emergency crews are on campus, do not search for any bomb, or explosive. Search only for people who should be evacuated.
3. If you see any suspicious object, steer clear of it and report it to the Principal and the emergency crew chief. Follow all emergency crew and bomb squad directives.
4. Use radios, walkie-talkies and phones only if absolutely necessary as the frequencies may set off the bomb(s).

### Explosion

If indoors:

1. All drop down to the floor and duck and cover.
2. Turn away from the windows.

3. Take cover under a desk or table or against an interior wall.
4. Cover head with arms or hold to the cover.
5. Hold the position until directed to the building.
6. Staff to follow the emergency procedures previously described.

If outdoors:

1. Move away from buildings, poles and overhead wires.
2. Lie down or crouch low to the ground.
3. Look out for dangers that demand movement.
4. Staff to follow emergency procedures previously described.

#### Death/Suicide

1. Principal will be notified in the event of a death or suicide on campus.
2. Assigned person(s) will phone 911.
3. Assigned person(s) will phone APS headquarters.
4. Principal will notify teachers to keep students in their classrooms until informed otherwise.
5. Assigned person(s) will control and organize media.
6. Assigned person(s) will notify relatives where the victim(s) have been taken and not divulge unnecessary details.
7. Assigned person(s) will ensure that counseling services are available as soon as possible.

#### Intruders/ Vicious Animals

1. Call the school main office and office staff will check out the situation and take appropriate action (i.e., contact Police or animal control agency).
2. Administration should initiate a code to alert staff of a potential suspicious intruder.
3. Keep the students in the classroom until the threat is cleared.
4. Implement shelter in place if necessary; lock classroom doors and windows, move away from windows, draw curtains, remain silent.
5. Notify office of who is with you, if possible.
6. All students outside of the building are to be quietly and cautiously led into the building.
7. Wait for further instructions from administration and/or police/animal agency.

#### *SCHOOL UNIFORMS*

School policy requires all students wear uniforms to create a culture of academic rigor. A uniform dress code reduces distractions and disruptions caused by clothing, makes economic disparities between students less obvious, minimizes the use of clothing to signal gang affiliation and other risks to student safety, promotes student achievement, and creates an orderly learning environment.

- *Uniform selection:* The specific uniform (i.e. colors and other specifications) will be determined by the Board of Directors in consultation with the parent organization.
- *Support for needy families:* The School will designate funds to support families who may need assistance in meeting the uniform requirements.
- *Exceptions:* Because the School is a school of choice, there will be NO exemptions for students.

#### *STUDENT DISCIPLINE*

The School believes that one of the major functions of education is the preparation of youth for responsible citizenship. The School shall foster a learning environment that reinforces self-discipline and the acceptance of personal responsibility. In addition, the School shall work with students and families to provide a safe school environment that provides students with the opportunity to have a quality education.

The following policies and procedures are designed to guide school personnel in dealing with student discipline issues, while providing students and parents with a clear set of expectations regarding student behavior and an understanding of the consequences of misconduct.

As provided in the charter petitions, the policies and procedures for suspension and expulsion of students set forth in this document comply with the policies and procedures identified in the California Education Code. These policies and procedures will be periodically reviewed and the lists of offenses for which students are subject to suspension or expulsion will be modified as necessary.

These policies and procedures will be enforced fairly, uniformly, and consistently without regard to sex, ethnic group, religion, sexual orientation, color, race, national origin and physical or mental disability

### Discipline in General

Each school should develop a process for handling, and if necessary escalating, individual cases of student misbehavior. Strategies may include but are not limited to:

- Relocating the student's desk to a different part of the classroom;
- Assigning different or additional work appropriate to the infraction;
- Utilizing a peer mediation or student conflict resolution program;
- Individual conversation with the classroom teacher about behavior and consequences;
- Utilizing a written referral framework;
- Designating selected classrooms and teachers (typically, lead teachers or advisors) as places for "time out";
- Referring students to the principal or a designee;
- Contacting parents/guardians; and/or
- Requiring the student to attend before/after school detention or Saturday detention;

All employees will report unmanageable or unusual behavior of students to the school principal or designee as soon as possible. The school principal or designee shall investigate the report and exercise his or her discretion for purposes of notification of parents, legal guardians, law enforcement, or local child protection services.

### Suspension

Suspension is the temporary removal of a student from class instruction for adjustment or disciplinary reasons. A suspension does not mean any of the following:

1. Reassignment to another class at the same school where the student will receive continuing instruction for the school day.
2. Referral to an advisor assigned that role by the Principal.

While on suspension from school, the student is not to loiter on or about any school grounds at any time, nor to attend any school activity at any time, no matter where such activity may be taking place. Violation may result in further disciplinary action.

Except in cases where suspension for a first offense is warranted in accordance with law, each school site shall consider suspension from school only when other means have not been successful or where the student's presence would constitute a danger to persons or property or seriously disrupt the educational process.

### Authority to Suspend:

1. A teacher may suspend a student only from his/her classroom for the day of the suspension plus the following school day.
2. The Principal or his/her designee may suspend a student from class, classes or the school campus for a period not to exceed five school days.
3. The Principal or his/her designee may extend a student's suspension pending final decision by the Board of Directors on a recommendation for expulsion.
4. A Special Education student being considered for expulsion may be suspended for ten (10) consecutive days pending assessment and an IEP Team meeting. The suspension may also be extended pending final decision by the Board of Directors on a recommendation for expulsion.

A pupil may not be suspended or expelled for any of the acts enumerated unless the act is related to school activity or school attendance occurring within a school under the jurisdiction of the Chief Executive Officer or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in the section and related to school activity or attendance that occur at any time, including, but not limited to any of the following:

- While on school grounds.
- While going to or coming from school.
- During the lunch period whether on or off the campus.
- During, or while going to or coming from, a school sponsored activity.

### Grounds for Suspension and Expulsion

The following information is provided in order to provide uniformity within The School in matters of student misconduct requiring disciplinary action. The following offenses constitute grounds for suspension and expulsion and require police notification for the grade levels indicated:

- **Physical Injury:** Caused, attempted to cause, or threatened to cause physical injury to another person (Ed. Code 48900(a)(1)) or willfully used force or violence upon the person of another, except in self-defense. (Ed. Code 48900(a)(2)) Notification to police required for students in grades K-12.
- **Weapons, Explosives, Dangerous Objects:** Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal. (Ed.Code 48900(b)) Notification to police required for students in grades K-12.
- **Controlled Substances/Alcohol:** Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind. (Ed.Code 48900(c)) Notification to police required for students in grades K-12.
- **Substances in Lieu of Controlled Substances:** Unlawfully offered, arranged, or negotiated to sell any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant. (Ed.Code 48900(d)) Notification to police required for students in grades K-12.
- **Robbery or Extortion:** Committed or attempted to commit robbery or extortion. (Ed.Code 48900(e)) Notification to police required for students in grades K-12.
- **Damage to Property:** Caused or attempted to cause damage to school property or private property. (Ed. Code 48900(f)) Notification to police required for students in grades K-12.

- **Theft of Property:** Stole or attempted to steal school property or private property. (Ed. Code 48900(g)) Notification to police required for students in grades 4-12.
- **Tobacco:** Possessed or used tobacco, or any product containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products. (Ed.Code 48900(h))
- **Obscenity/Profanity:** Committed an obscene act or engaged in habitual profanity or vulgarity. (Ed.Code 48900(i))
- **Drug Paraphernalia:** Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Ed.Code 48900(j)) Notification to police required for students in grades K-12.
- **Disruption/Defiance:** Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, or other school personnel engaged in the performance of their duties. (Ed.Code 48900(k)) Notification to police required for students in grades K-12.
- **Received Stolen Property:** Knowingly received stolen school property or private property. (Ed.Code 48900(l)) Notification to police required for students in grades 4-12.
- **Imitation Firearm:** Possessed an imitation firearm. (Ed. Code 48900(m)) Notification to police required for students in grades 4-12.
  - *Definition of Imitation Firearm:* a replica of a firearm that is so substantially similar in physical properties to an existing firearm to lead a reasonable person to conclude that the replica is a firearm. (Ed.Code 48900(m))
- **Sexual Assault/Sexual Battery:** Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code. (Ed.Code 48900(n)) Notification to police required for students in grades 4-12.
  - *Definition of Sexual Assault:* includes rape, various types of sexual abuse, and lewd and lascivious conduct. (Penal Code 261, 266c, 286, 288, 288a, 289.)
  - *Definition of Sexual Battery:* the touching of an intimate part of another person, if the touching is against the will of the person touched, and is for the specific purpose of sexual arousal, sexual gratification, or sexual abuse. (Penal Code 243.4.)
- **Harassment of Witness:** Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both. (Ed.Code 48900(o))
- **Sexual Harassment:** Committed sexual harassment. (Ed.Code 48900.2)
  - *Definition of Sexual Harassment:* an act which, upon review of a reasonable person of the same gender as the victim, is determined to be sufficiently severe or pervasive so as to cause negative impact on one's academic performance or to create an intimidating, hostile or offensive educational environment. Notification to police required for students in grades 4-12.
  - *Limitation:* Sexual harassment must be unwelcomed by the recipient in order to constitute a violation of Education Code 48900.2.
  - *Limitation:* Only students in grades 4-12 are subject to suspension for sexual harassment.
- **Hate Violence:** Caused, attempted to cause, threatened to cause, or participated in an act of hate violence. (Ed.Code 48900.3) Notification to police required for students in grades K-12.
  - *Definition of Hate Violence:* the use of force or threat of force to intimidate a person in the exercise of a constitutional or statutory right, or damage or destruction of property for the purpose of intimidating or interfering with a person because of that individual's "race, color, religion, ancestry, national origin, disability, gender, or sexual orientation."
- **Intentional Harassment:** Created a hostile educational environment (Ed.Code 48900.4)

- *Definition of Intentional Harassment:* engaging in harassment, threats or intimidation, directed against a student or group of students, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting a classroom, creating substantial disorder, and invading the rights of the students or group of students by creating an intimidating or hostile educational environment.
- **Terrorist Threats Against School Officials and/or Property:** Committed a terroristic threat against school officials, school property or both (Ed.Code 48900.7)
  - *Definition of Terrorist Threat:* includes any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in:
    - death
    - great bodily injury to another person, or
    - property damage in excess of one thousand dollars (\$1,000.00),
    - with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for:
      - his or her own safety,
      - his or her immediate family's safety,
      - the protection of school property, and/or
      - the personal property of the person threatened or of his or her immediate family.
- **Electronic Signaling Device:** Possessed electronic signaling device, including cell phones and pagers while on school grounds while attending school sponsored activities or while under the supervision and control of school employees (Ed. Code 48901.5)
- **Hazing:** Engaged in hazing activities or any act that causes or is likely to cause personal humiliation or disgrace (Ed.Code 32050-32052)
- **Vandalism/Malicious Mischief:** Defaced, damaged or destroyed any school property including, books, supplies of all kinds, equipment, buildings and grounds.
- *Note:* Parents can be held financially liable for damages up to \$10,000 and shall also be liable for the amount of any reward not exceeding \$10,000 pursuant to Section 53069.5 of the Government Code (Ed.Code 48904).

*See complete Suspension/Expulsion Policy and Procedures for steps taken in cases requiring suspension and appeals process.*

### Expulsion

Expulsion is the involuntary removal of a student from the School for an extended period of time for acts of specified misconduct. Except for single acts of a grave nature, expulsion is used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to other students. Final action is only taken by vote of the Board of Directors.

In the event that a student is recommended for expulsion from the School, he or she is entitled to a hearing and, among other things, advance written notice of the rights and responsibilities enumerated in Education Code section 48918. Written notice of these due process rights shall be provided at least 10 days in advance of the date set for the hearing. (Ed. Code 48918)

Expulsion proceedings for a currently identified Special Education student require additional due process procedures. The School will follow all due process procedures for Special Education students included in this document and in the Education Code.



While under expulsion, a student cannot enroll in another California school district without approval of that district's Board of Education. Certain expelled students may enroll only in Juvenile Court Schools, County Community Schools, or District operated Community Day Schools (AB922) during the duration of the expulsion.

The Board of Directors, upon voting to expel a pupil, may suspend the enforcement of the expulsion order for a period of not more than one calendar year and may, as a condition of the suspension of enforcement, assign the pupil to a school, class, or program that is deemed appropriate for the rehabilitation of the pupil. The rehabilitation program to which the pupil is assigned may provide for the involvement of the pupil's parent or guardian in his or her child's education in ways that are specified in the rehabilitation program. A parent or guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the pupil has satisfactorily completed the rehabilitation program. (Ed. Code 48917)

### **Expellable Offenses:**

#### *Category I - Mandatory Expulsion*

Under the mandatory provisions of Education Code 48915(c), a student who has committed one or more of the following acts **must be recommended for expulsion** and the Board of Directors **must expel** the student.

- Possessing, selling or otherwise furnishing a firearm when a school employee verified firearm possession,
- Brandishing a knife at another person,
- Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, or
- Committing or attempting to commit a sexual assault or committing sexual battery

#### *Category II - Mandatory Recommendation for Expulsion*

Under the mandatory provision of Education Code 48915(a), a student who has committed one of the following acts of misconduct must be **recommended for expulsion** unless particular circumstances render it inappropriate.

- Causing serious physical injury to another person, except in self-defense;
- Possession of any knife, explosive, or other dangerous object of no reasonable use to the student;
- Unlawful possession of any controlled substance listed in Chapter 2 (Commencing with Section 11053) of Division 10 of the Health and Safety Code, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis;
- Robbery or extortion;
- Assault or battery upon a school employee.

#### *Category III - Expulsion May Be Recommended*

In accordance with Education Code 48915 and by direction of the California Board of Education, a student may be considered for expulsion for committing any act not listed in Category I or II and enumerated in Education Code sections 48900, 48900.2, 48900.3, 48900.4, or 48900.7.

**Note:** The Board's decision to expel a student for violations included in Categories II and III must be based on a finding of one or both of the following:

1. Other means of correction are not feasible or have repeatedly failed to bring about the proper conduct.
2. Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others. (Ed. Code 48915(b) and 48915(e).)

**Note:** If the Discipline Review Board chooses not to recommend the expulsion of the student, the Board may, at its discretion, impose a lesser form of disciplinary action which may include assigning the student to another school or program. Such transferred students will not be permitted to re-enroll in their former school of assignment. (Ed. Code 48918(e).)

*See complete Suspension/Expulsion Policy and Procedures for procedures in cases involving expulsion, requiring the extension of suspension and/or expulsion, and the appeals process.*

## **ANTI-DISCRIMINATION AND ANTI-HARASSMENT POLICY**

Yu Ming Charter School (“YMCS”) is committed to providing a work and educational atmosphere that is free of unlawful harassment. YMCS’s policy prohibits sexual harassment and harassment based upon pregnancy, childbirth or related medical conditions, race, religion, creed, color, gender, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal, state, local law, ordinance or regulation. YMCS will not condone or tolerate harassment of any type by any employee, independent contractor or other person with which YMCS does business with. This policy applies to all employee actions and relationships, regardless of position or gender. YMCS will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted.

### Prohibited Unlawful Harassment

- Verbal conduct such as epithets, derogatory jokes or comments or slurs;
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of sex, race or any other protected basis;
- Retaliation for reporting or threatening to report harassment
- Deferential or preferential treatment based on any of the protected classes above.

### Prohibited Unlawful Sexual Harassment

In accordance with existing policy, discrimination on the basis of gender in education institutions is prohibited. All persons, regardless of the gender, are afforded equal rights and opportunities and freedom from unlawful discrimination in education programs or activities conducted by YMCS.

YMCS is committed to provide a workplace free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action, up to, and including dismissal, of the offending employee.

Sexual harassment consist of sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when: (1) submission of the conduct is either made explicitly or implicitly a term or condition of an individual’s employment; (2) an employment decision is based upon an individual’s acceptance or rejection of that conduct; (3) that conduct interferes with an individual’s work performance or creates an intimidating, hostile or offensive working environment.

It is also unlawful to retaliate in any way against an employee who has articulated a good faith concern about sexual harassment against him or her against another individual.

All supervisors of staff will receive sexual harassment training within six (6) months of their assumption of a supervisory position and will receive further training once every two (2) years thereafter. All staff will receive sexual harassment training and/or instruction concerning sexual harassment in the workplace as required by law.

Each employee has the responsibility to maintain a workplace free from any form of sexual harassment. Consequently, should any individual, in particular those with supervisory responsibilities, become aware of any conduct that may constitute sexual harassment or other prohibited behavior, immediate action should be taken to address such conduct. Employees and students are expected to act in a positive and professional manner and to contribute to a productive School environment that is free from harassing or disruptive activity. Any employee who believes they have been harassed or has witnessed harassment is encouraged to immediately report such harassment to their supervisor or the Principal. See Attachment B for the "Harassment Complaint Form."

Sexual harassment may include, but is not limited to:

- Physical assaults of a sexual nature, such as:
  - Rape, sexual battery, molestation or attempts to commit these assaults and
  - Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, or poking another's body.
- Unwanted sexual advances, propositions or other sexual comments, such as:
  - Sexually oriented gestures, notices, remarks, jokes, or comments about a person's sexuality or sexual experience.
  - Preferential treatment or promises of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward or deferential treatment for rejecting sexual conduct.
  - Subjecting or threats of subjecting an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee's job more difficult because of the employee's sex.
- Sexual or discriminatory displays or publications anywhere at the workplace by employees, such as:
  - Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic or bringing to work or possessing any such material to read, display or view at work.
  - Reading publicly or otherwise publicizing in the work environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic; and
  - Displaying signs or other materials purporting to segregate an employee by sex in an area of the workplace (other than restrooms or similar rooms).

The illustrations of harassment and sexual harassment above are not to be construed as an all-inclusive list of prohibited acts under this policy.

Complainants and witnesses under these policies will be protected from further harassment and will not be retaliated against in any aspect of their employment due to their participation, filing of a complaint or reporting sexual harassment.

YMCS will investigate complaints promptly and provide a written report of the investigation and decision as soon as practicable. The investigation will be handled in as confidential a manner as possible consistent with a full, fair, and proper investigation.

Employees may also direct their complaints to the California Department of Fair Employment and Housing (“DFEH”), which has authority to conduct investigation of the facts. The deadline for filing complaints with the DFEH is one year from the date of the alleged unlawful conduct. If the DFEH believes a complaint is valid and settlement efforts fail, the DFEH may seek an administrative hearing before the California Fair Employment and Housing Commission (“FEHC”) or file a lawsuit in court. Both the FEHC and the courts have authority to award monetary and non-monetary relief in meritorious cases. Employees can contact the nearest DFEH office or the FEHC by checking the State Government listings in the local telephone directory.

While in most situations a personal relationship is a private matter, these relationships are not appropriate in a professional setting, particularly where one of the parties has management or supervisory responsibilities.

## **PREVENTION OF CHILD ABUSE POLICY**

The School is committed to maintaining safe and secure campuses for students, and for following its legal responsibilities in reporting suspected child abuse/neglect to the proper authorities.

### Reporting Suspected Abuse/Neglect

While the responsibility of enforcing legal prohibitions against child abuse and neglect lies with the protective agencies such as the local police department and Children’s Protective Services, the School’s child care custodians (including teachers, administrative officers, certificated personnel, etc.) are mandated reporters of known or suspected child abuse/neglect and are required to fulfill this legal responsibility. Every child care custodian of the School must sign a “Child Abuse Reporting” form indicating they understand their responsibilities to report known or suspected child abuse/neglect.

*See complete Prevention of Child Abuse Policy and Procedure for specific steps regarding the reporting of suspected abuse and neglect.*

### Reporting Problems at the School Site

The School maintains zero tolerance for abuse. Every member of the School community must participate actively in the protection of its students.

The School will monitor the school buildings and grounds:

- All unused rooms, storage areas, and closet doors should be kept locked at all times;
- all unused buildings and areas must be designated, posted and enforced as off-limits to children;
- all students are required to remain in areas that are easily viewed by employees;
- Interior doors should be left open and unlocked when rooms are in use
- Blinds should be left open to allow informal monitoring by a passerby.

In the event that any current or future school employee observes any suspicious or inappropriate behaviors on the part of any third party or other employee while on the school premises or during a school-sponsored activity, he or she is required to immediately report their observations to the principal or designee.

Examples of suspicious or inappropriate behaviors include, but are not limited to:

- policy violations,

- neglectful supervision,
- “private time” with students,
- taking students off premises without adhering to procedures,
- buying unusual gifts for children and youth,
- swearing or making suggestive comments to students,
- or any other conduct as identified in this policy, or which is inappropriate or illegal in the eyes of the observer.

All reports of suspicious or inappropriate behavior with students will be taken seriously. The principal or designee will conduct an immediate investigation concerning the alleged act or omission. If at any point in gathering information about the allegedly suspicious, inappropriate or illegal behavior, a concern arises that there is a possibility of abuse of any kind, appropriate law enforcement and/or local child protection services will be contacted immediately and a report will be filed. If at any point any policy violations with students are confirmed, employees will be subject to disciplinary action, including but not limited to, administrative leave, termination and/or criminal prosecution.

The School will cooperate with any and all law enforcement and/or governmental entities in the implementation and enforcement of this policy.

#### *Employee Conduct With Students*

All school employees are responsible for conducting themselves in ways that preserves the safety of students and that prevents either the reality of or perception of inappropriate interaction with students.

In general, all School employees will treat all children with respect and consideration equally, regardless of sex, race, religion, culture or socio-economic status. Employees will portray a positive role model for youth by maintaining an attitude of respect, patience and maturity.

#### Alcohol, Tobacco, and Controlled Substances

All school employees are prohibited from the use, possession, or distribution of alcohol, tobacco products, or any illegal controlled substances while in the presence of students or at any time on school grounds. They are also prohibited from being under the influence of alcohol or any illegal controlled substances while in the presence of students or at any time on school grounds.

#### Transportation of Students

School employees may occasionally be in a position to provide transportation for students. The following guidelines should be observed in such circumstances:

- a) With the exception of emergency situations related to medical necessity, employees should avoid transporting students without the written permission of his or her parent or guardian;
- b) If written permission is not possible, the employee should make a written record of any verbal permission granted by the parent or guardian;
- c) Students should be transported directly to their destination and no unauthorized or unnecessary stops should be made;
- d) Employees will avoid unnecessary and/or inappropriate physical contact with students while in vehicles;
- e) Drivers who are assigned to transport students must be at least 21 years old and must abide by standards related to insurance and other legal requirements;
- f) The employee should make a written record of the trip, including departure and arrival times and locations and students involved; and

g) Whenever possible, two school employees should collectively engage in the transportation activity.

### Language

Employees will not speak to students in a way that is or could be construed by any observer as harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning, or humiliating. Employees are to refrain from swearing in the presence of students. Employees are cautioned against initiating sexually oriented conversations with students, except in the context of the School's health education curriculum. Employees are not permitted to discuss their own sexual activities with students.

### Gifts

Money will not be given to students. Gifts will not be given to individual students, except as an award related to a previously announced academic competition; or as a group award given to all participants in celebration of classroom or school accomplishment or special event.

### *Attire*

Employees must be appropriately and professionally dressed in presence of students. Each school may adopt its own dress code for employees and employees will be expected to follow that code.

### Behavior

One-to-one counseling with students will be done in a public place insofar as possible, where private conversations are possible but occur in full view of others.

Employees will refrain from intimate displays of affection towards others in the presence of students, parents, and other personnel.

Employees are prohibited from possessing any sexually oriented materials (magazines, cards, videos, films, clothing, etc) on school grounds or in the presence of students.

### Physical contact with students

Some forms of physical contact between adults and children are appropriate and that other forms are inappropriate, illegal, or have been used by adults to initiate inappropriate or illegal contact with children.

Appropriate physical contact between employees and students include, but are not limited to:

- Handshakes;
- "High Fives" or hand slapping;
- briefly touching tops of heads, shoulders or upper back in acknowledgement, congratulation or consolation;
- brief sideways hugs; and
- holding hands while walking with small children.

Inappropriate physical contact between employees and students include, but are not limited to:

- full body hugs or lengthy embraces;
- kisses;
- holding small children on the lap;
- touching bottoms, chests, knees, legs, , and/or genital areas;
- showing affection in isolated or private areas;

- sleeping with a student;
- wrestling with students;
- tickling students;
- piggyback rides;
- any type of massage;
- any form of unwanted affection; and/or
- any compliments that relate to physique or body development.

All school employees are prohibited from using physical punishment in any way for behavior management of students. No form of physical discipline is acceptable. This prohibition includes spanking, slapping, pinching, hitting or any other physical force as retaliation or correction for inappropriate behaviors by students. Other prohibitions include, but are not limited to,

- isolation except as needed for the child to gain self-control (and then only under the supervision of an adult, and no longer than 15 minutes),
- withholding food or water,
- degrading punishment,
- work assignments unrelated to a natural or logical consequence,
- excessive exercise,
- withholding access to contact with parents or guardians,
- withholding or using medications for punishment,
- mechanical restraint such as rope or tape to restrict movement, or
- any type of physical restraint.

## Appendix VI-a: Anti-Discrimination/Anti-Harassment

### *POLICY AGAINST HARASSMENT AND SEXUAL HARASSMENT*

Yu Ming Charter School (“YMCS”) is committed to providing a work and educational atmosphere that is free of unlawful harassment. YMCS’s policy prohibits sexual harassment and harassment based upon pregnancy, childbirth or related medical conditions, race, religion, creed, color, gender, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal, state, local law, ordinance or regulation. YMCS will not condone or tolerate harassment of any type by any employee, independent contractor or other person with which YMCS does business with. This policy applies to all employee actions and relationships, regardless of position or gender. YMCS will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted.

#### Prohibited Unlawful Harassment

- Verbal conduct such as epithets, derogatory jokes or comments or slurs;
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of sex, race or any other protected basis;
- Retaliation for reporting or threatening to report harassment
- Deferential or preferential treatment based on any of the protected classes above.

#### Prohibited Unlawful Sexual Harassment

In accordance with existing policy, discrimination on the basis of gender in education institutions is prohibited. All persons, regardless of the gender, are afforded equal rights and opportunities and freedom from unlawful discrimination in education programs or activities conducted by YMCS.

YMCS is committed to provide a workplace free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action, up to, and including dismissal, of the offending employee.

Sexual harassment consist of sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when: (1) submission of the conduct is either made explicitly or implicitly a term or condition of an individual’s employment; (2) an employment decision is based upon an individual’s acceptance or rejection of that conduct; (3) that conduct interferes with an individual’s work performance or creates an intimidating, hostile or offensive working environment.

It is also unlawful to retaliate in any way against an employee who has articulated a good faith concern about sexual harassment against him or her against another individual.

All supervisors of staff will receive sexual harassment training within six (6) months of their assumption of a supervisory position and will receive further training once every two (2) years thereafter. All staff will receive sexual harassment training and/or instruction concerning sexual harassment in the workplace as required by law.

Each employee has the responsibility to maintain a workplace free from any form of sexual harassment. Consequently, should any individual, in particular those with supervisory responsibilities, become aware of any conduct that may constitute sexual harassment or other prohibited behavior, immediate action should be taken to address such conduct. Employees and students are expected to act in a positive and



professional manner and to contribute to a productive School environment that is free from harassing or disruptive activity. Any employee who believes they have been harassed or has witnessed harassment is encouraged to immediately report such harassment to their supervisor or the Principal. See Attachment B for the “Harassment Complaint Form.”

Sexual harassment may include, but is not limited to:

- Physical assaults of a sexual nature, such as:
  - Rape, sexual battery, molestation or attempts to commit these assaults and
  - Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another’s body, or poking another’s body.
- Unwanted sexual advances, propositions or other sexual comments, such as:
  - Sexually oriented gestures, notices, remarks, jokes, or comments about a person’s sexuality or sexual experience.
  - Preferential treatment or promises of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward or deferential treatment for rejecting sexual conduct.
  - Subjecting or threats of subjecting an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee’s job more difficult because of the employee’s sex.
- Sexual or discriminatory displays or publications anywhere at the workplace by employees, such as:
  - Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic or bringing to work or possessing any such material to read, display or view at work.
  - Reading publicly or otherwise publicizing in the work environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic; and
  - Displaying signs or other materials purporting to segregate an employee by sex in an area of the workplace (other than restrooms or similar rooms).

The illustrations of harassment and sexual harassment above are not to be construed as an all-inclusive list of prohibited acts under this policy.

Complainants and witnesses under these policies will be protected from further harassment and will not be retaliated against in any aspect of their employment due to their participation, filing of a complaint or reporting sexual harassment.

YMCS will investigate complaints promptly and provide a written report of the investigation and decision as soon as practicable. The investigation will be handled in as confidential a manner as possible consistent with a full, fair, and proper investigation.

Employees may also direct their complaints to the California Department of Fair Employment and Housing (“DFEH”), which has authority to conduct investigation of the facts. The deadline for filing complaints with the DFEH is one year from the date of the alleged unlawful conduct. If the DFEH believes a complaint is valid and settlement efforts fail, the DFEH may seek an administrative hearing before the California Fair Employment and Housing Commission (“FEHC”) or file a lawsuit in court. Both the

FEHC and the courts have authority to award monetary and non-monetary relief in meritorious cases. Employees can contact the nearest DFEH office or the FEHC by checking the State Government listings in the local telephone directory.

While in most situations a personal relationship is a private matter, these relationships are not appropriate in a professional setting, particularly where one of the parties has management or supervisory responsibilities.

## Appendix VI-b: Sample Recruiting Collateral

*This powerpoint presentation has been used at several information sessions in Alameda County during Spring and Summer 2010.*

**Welcome to Yu Ming Charter School  
Parent Information Night**

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May 26, 2010

**育明中英雙語學院**

### Welcome

- ❖ Yu Ming Charter School
- ❖ Why Mandarin Chinese?
- ❖ What is language immersion?
- ❖ Why attend an immersion school?
- ❖ Immersion at Yu Ming Charter School
- ❖ What is a charter school?
- ❖ Q&A



### Yu Ming Charter School Mission

- ❖ To provide an academically rigorous college preparatory program
- ❖ To graduate students with bilingual and biliterate skills in Mandarin Chinese
- ❖ To nurture intellectual curiosity, international perspective, and diligence in attaining personal goals
- ❖ To develop young people with compassion, sound moral character, and a sense of responsibility for the community

**育明中英雙語學院**


### Why Mandarin Chinese?

- ❖ 1 billion Mandarin Chinese speakers
- ❖ China's GDP growth – over 7% for the past few years
- ❖ By 2040, the Chinese economy will reach \$123 trillion; its per capita income will reach \$85k – double the forecast for European Union




### What is Language Immersion?

- ❖ Majority of school subjects taught in Mandarin Chinese
- ❖ Learn Mandarin through context
- ❖ Proven, effective approach



### Goals of Immersion

- ❖ Fluency in a second language
- ❖ Increased cultural understanding and appreciation



## Why Immersion at an early age?

- ❖ Language acquisition is a natural process at a young age
- ❖ Child's brain has twice as many synapses as an adult
- ❖ Native-like pronunciation



7

## Why Attend an Immersion School?

- ❖ Higher second language proficiency and enhanced English skills<sup>1</sup>
- ❖ Cognitive flexibility and problem solving skills<sup>2</sup>
- ❖ Equal or superior math and reading scores<sup>3</sup>
- ❖ Higher ACT and SAT scores<sup>4</sup>
- ❖ Google: benefits of second language study NEA



<sup>1</sup>Collier, H. & Thomas, C.A. (2006). Languages and at-Risk: Making the match. New languages for young learners. Center for Applied Linguistics, University of Maryland. <sup>2</sup>Collier, H. & Thomas, C.A. (2006). Languages and at-Risk: Making the match. New languages for young learners. Center for Applied Linguistics, University of Maryland. <sup>3</sup>Collier, H. & Thomas, C.A. (2006). Languages and at-Risk: Making the match. New languages for young learners. Center for Applied Linguistics, University of Maryland. <sup>4</sup>Collier, H. & Thomas, C.A. (2006). Languages and at-Risk: Making the match. New languages for young learners. Center for Applied Linguistics, University of Maryland.

8

## Two-Way Dual Immersion, 90/10 Model

- ❖ "Two-Way" indicates that half the students are proficient in Mandarin and half are not
- ❖ Learn from and with each other
- ❖ Encourages communication in Mandarin



9

## Two-Way Dual Immersion, 90/10 Model

- ❖ "Dual Immersion" indicates that two different languages will be used to deliver content
- ❖ Mandarin and English
- ❖ Only one language used in any particular classroom setting...no mixing
- ❖ Native Mandarin speaking teachers with bilingual teaching experience



10

## Two-Way Dual Immersion, 90/10 Model

- ❖ "90/10 model" indicates the initial proportion of Mandarin to English used to deliver curriculum content
- ❖ Produces a higher level of language proficiency<sup>1</sup>
- ❖ Instruction in Mandarin decreases and English increases as children improve proficiency in Mandarin:
  - 90% Mandarin/10% English in K-2<sup>nd</sup> grade
  - 70% Mandarin/30% English in 3<sup>rd</sup> and 4<sup>th</sup> grades
  - 50% Mandarin/50% English in 5<sup>th</sup> and 6<sup>th</sup> grades
  - 30% Mandarin/70% English in 7<sup>th</sup> and 8<sup>th</sup> grades

<sup>1</sup>Goldstein-Lewis, K.J. (2010). Dual language education. Cleveland, England: Multilingual Matters

11

## What about English?



- ❖ Immersion advances English language development<sup>1</sup>
- ❖ By 5<sup>th</sup> grade immersion students do as well and often perform better than monolingual cohorts on standardized tests

<sup>1</sup> Collier, H. and Thomas, H. The Attending Effectiveness of Dual Language Education for At-Risk. Journal of Immersion and Bilingualism, 2, 1 (winter 2006). Collier, H. and Thomas, H. A National Study of School Effectiveness for Minority Student's Long-Term Academic Achievement. <http://www.cslu.edu/dep/education/CIWE/CollierThomas2006.pdf>

12

### Traditional or Simplified Characters?

- ❖ Consultation with CAIS Chinese Department Chair, Jiun Chou Young
- ❖ K-2: read/write traditional
- ❖ Grade 3: begin to introduce high yield simplified, continue to read/write traditional
- ❖ Grades 4 and 5: increasing exposure to simplified
- ❖ Grades 6-8: read both, students choose what to write provided they are consistent

開開飛飛聲聲號號從從豐豐雲雲

14

### Traditional or Simplified Characters?

"Of roughly 45,000 characters, there are only 2353 that have been simplified and of these only 500 are actually remarkably different."

"Teaching different versions of the same character opens students' minds, increasing their acceptance of diversity. We are not prejudiced; ours is a more universal vision that creates the most benefit for the students."

Jiun Chou Young  
Chinese Department Chair  
Chinese American International School

14

### Well-Rounded, World Class Education

*Yu Ming's education program will be based on the most current research and best practices in high performing schools.*

- ❖ Longer school year + longer school day = More learning time
- ❖ High standards and a college-preparatory academic program
- ❖ Visual and performing arts
- ❖ Physical education
- ❖ Technology as a tool for learning, research and production
- ❖ Extensive use of data to monitor student progress
- ❖ Personalized learning for every student

福壽康寧  
馬氏教育基金會

15

### What is a charter school?

- ❖ Autonomous public school
  - No admission requirement – any CA resident can attend
  - No tuition
  - Not religious
  - Non-discriminatory
- ❖ Accountability in exchange for flexibility
- ❖ Sponsored by local school district or county, operated by a 501c3 not-for-profit organization



16

### Why a new school in the East Bay?

*There is a strong need...*

- ❖ Large demand for Mandarin immersion in the East Bay
- ❖ Strong economic connections to Chinese-speaking countries



*that is currently not being met.*

- ❖ There is no public two-way Mandarin immersion school in the East Bay!

17

### Yu Ming – General Information

- ❖ Opening in September, 2011
- ❖ Two kindergarten and two first grade classes
- ❖ Starting with 100 students
- ❖ Based in Alameda County



18

## How to Get Involved

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We need your help!

- ❖ Complete a student interest form
- ❖ Sign the petition
- ❖ Attend future public meetings
- ❖ Spread the word
- ❖ Find us on Facebook

[eastbayimmersion@gmail.com](mailto:eastbayimmersion@gmail.com)

18

## Questions?



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*"Give a man a fish and you will feed him for a day. Teach him how to fish and you will feed him for a lifetime."*  
- Lao Tzu

授人以魚，三餐之需；授人以漁，終身之用

## **Appendix VI-c: Suspension and Expulsion Policy and Procedures**

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well being of all students at Yu Ming Charter School (the “Charter School”). When the policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as Charter School’s policy and procedures for student suspension and expulsion, and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements.

Staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will clearly describe discipline expectations, and it will be printed and distributed as part of the Student Handbook which is sent to each student at the beginning of the school year. The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures.

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

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

Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion.

A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 (“IDEIA”) or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 (“Section 504”) is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to regular education students except when federal and state law mandates additional or different procedures. The Charter School will follow all applicable federal and state laws when imposing any form of discipline on a student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

*A. Grounds for Suspension and Expulsion of Students*

A student may be suspended or expelled for prohibited misconduct if the act is (1) related to school activity, (2) school attendance occurring at Charter School or at any other school, or (3) a Charter School sponsored event. A Pupil may be suspended or expelled for acts that are enumerated below and related to school activity or attendance that occur at any time, including, but not limited to, and of the following:

- a) while on school grounds;
- b) while going to or coming from school;
- c) during the lunch period, whether on or off the school campus; or
- d) during, going to, or coming from a school-sponsored activity.

*B. Enumerated Offenses*

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

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



11. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
12. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
13. Knowingly received stolen school property or private property.
14. Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
15. Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
16. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
17. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
18. Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
19. Made terrorist threats against school officials and/or school property. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
20. Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
21. Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.

22. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
23. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261 of the Education Code, directed specifically toward a pupil or school personnel.

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

### *C. Suspension Procedure*

Suspensions shall be initiated according to the following procedures:

#### 1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Principal or the Principal's designee with the student and his or her parent and, whenever practical, the teacher, supervisor or school employee who referred the student to the Principal. The conference may be omitted if the Principal or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference.

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense.

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

No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with school officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

#### 2. Notice to Parents/Guardians

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

### 3. Suspension Time Limits/Recommendation for Placement/Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension.

Upon a recommendation of Placement/Expulsion by the Principal or Principal's designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination will be made by the Principal or designee upon either of the following determinations: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

#### D. *Authority to Expel*

A student may be expelled either by the Governing Board following a hearing before it or by the Governing Board upon the recommendation of an Administrative Panel to be assigned by the Governing Board as needed. The Administrative Panel should consist of at least three members who are certificated and neither a teacher of the pupil or a Board member of the Governing Board. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

#### E. *Expulsion Procedures*

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

In the event an administrative panel hears the case, it will make a recommendation to the Governing Board for a final decision whether to expel. The hearing shall be held in closed session unless the pupil makes a written request for a public hearing three (3) days prior to the hearing.

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

1. The date and place of the expulsion hearing;
2. A statement of specific facts, charges and offenses upon which the proposed expulsion is based;
3. A copy of the Charter School's disciplinary rules which relate to the alleged violation;
4. Notification of the student's or parent/guardian's obligation to provide information about the student's status at the school to any other school district or school to which the student seeks enrollment;
5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;

6. The right to inspect and obtain copies of all documents to be used at the hearing;
7. The opportunity to confront and question all witnesses who testify at the hearing;
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

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

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the person or panel conducting the hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The person conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The person conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the person presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The person conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing

shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.

8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are not alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstances can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

*G. Record of Hearing*

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

*H. Presentation of Evidence*

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense.

Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay and sworn declarations may be admitted as testimony from witnesses of whom the Governing Board, Panel or designee determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

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

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

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

*I. Written Notice to Expel*

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

1. Notice of the specific offense committed by the student
2. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the Charter School.

The Principal or designee shall send a copy of the written notice of the decision to expel to the student's district of residence. This notice shall include the following:

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

*J. Disciplinary Records*

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

*K. No Right to Appeal*

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

*L. Expelled Pupils/ Alternative Education*

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

*M. Rehabilitation Plans*

Students who are expelled from the Charter School shall be given a rehabilitation plan upon expulsion as developed by the Governing Board at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for

readmission. The rehabilitation plan should include a date not later than one (1) year from the date of expulsion when the pupil may reapply to the Charter School for readmission.

N. *Readmission*

The decision to readmit a pupil or to admit a previously expelled pupil from another school, school district or charter school shall be in the sole discretion of the Governing Board following a meeting with the Principal and the pupil and guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Principal shall make a recommendation to the Governing Board following the meeting regarding his or her determination. The pupil's readmission is also contingent upon the Charter School's capacity at the time the student seeks readmission.

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

i. Notification of District

The Charter School shall immediately notify the District and coordinate the procedures in this policy with the District the discipline of any student with a disability or student who the Charter School or District would be deemed to have knowledge that the student had a disability who is suspended for more than ten (10) school days during a school year.

ii. Services During Suspension

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP; and receive, as appropriate, a functional behavioral assessment or functional analysis, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting.

iii. Procedural Safeguards/Manifestation Determination

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

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

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

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

- a) Conduct a functional behavioral assessment or a functional analysis assessment, and implement a behavioral intervention plan for such child, provided that the Charter School had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
- b) If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
- c) Return the child to the placement from which the child was removed, unless the parent and the Charter School agree to a change of placement as part of the modification of the behavioral intervention plan.

If the Charter School, the parent, and relevant members of the IEP team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a result of the failure to implement the IEP, then the Charter School may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

#### iv. Due Process Appeals

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

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or the Charter School, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, whichever occurs first, unless the parent and the Charter School agree otherwise.

#### v. Special Circumstances

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

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

- a) Carries or possesses a weapon, as defined in 18 USC 930, to or at school, on school premises, or to or at a school function;



- b) Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or
- c. Has inflicted serious bodily injury, as defined by 20 USC 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

vi. Interim Alternative Educational Setting

The student's interim alternative educational setting shall be determined by the student's IEP team.

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

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

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

- a) The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to Charter School supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.
- b) The parent has requested an evaluation of the child.
- c) The child's teacher, or other Charter School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other Charter School supervisory personnel.

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

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

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

## Appendix VII-a: 5-Year Profit/Loss Projection

### Yu Ming Charter School

#### Profit/Loss Forecast

	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016
	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5
<b>Revenue</b>						
General Purpose Grant Funding/Pupil	-	445,930	685,617	937,010	1,200,545	1,476,670
Categorical Block Grant Funding/Pupil	-	38,000	58,425	79,848	102,305	125,835
Lottery Funding/Pupil	-	13,015	20,011	27,348	35,039	43,098
Class Size Reduction Funding/Pupil	-	-	106,875	142,500	178,125	213,750
PCSGP	200,000	-	175,000	75,000	-	-
Charter School Revolving Loan	-	250,000	-	-	-	-
Other Donations	50,000	-	-	-	-	-
Family Fundraising	-	60,000	112,500	150,000	187,500	225,000
<b>Total Revenue</b>	<b>\$ 250,000</b>	<b>\$ 806,945</b>	<b>\$ 1,158,428</b>	<b>\$ 1,411,706</b>	<b>\$ 1,703,514</b>	<b>\$ 2,084,353</b>
<b>Expense</b>						
<i>Personnel</i>						
Teachers	36,667	247,500	385,000	495,000	605,000	715,000
Aides	-	27,000	40,500	54,000	54,000	54,000
Administrators	20,000	100,000	100,000	100,000	100,000	100,000
Office Staff	4,800	35,200	35,200	35,200	44,000	52,800
Benefits	2,167	112,500	157,500	195,000	228,750	262,500
<b>Total Personnel</b>	<b>\$ 63,633</b>	<b>\$ 522,200</b>	<b>\$ 718,200</b>	<b>\$ 879,200</b>	<b>\$ 1,031,750</b>	<b>\$ 1,184,300</b>
<i>Facility</i>						
Rent	-	114,000	171,000	228,000	285,000	342,000
Utilities (Gas, Electric, Phone, Security, Waste)	-	10,800	10,800	10,800	10,800	10,800
Custodial	-	16,800	16,800	16,800	16,800	16,800
Retrofitting, Repair, Maintenance	30,000.00	2,500	2,500	5,000	5,000	5,000
<b>Total Facility</b>	<b>\$ 30,000</b>	<b>\$ 144,100</b>	<b>\$ 201,100</b>	<b>\$ 260,600</b>	<b>\$ 317,600</b>	<b>\$ 374,600</b>
<i>Books and Supplies</i>						
Books	25,000	10,000	15,000	20,000	25,000	30,000
Materials	10,000	10,000	15,000	20,000	25,000	30,000
Printing, Reproduction, Copier Lease	-	13,600	18,600	23,600	28,600	33,600
Software Licenses	-	3,000	4,500	6,000	7,500	9,000
Computers	9,750	24,000	12,000	12,000	12,000	12,000
Other Equipment	5,000	-	5,000	5,000	5,000	5,000
Furniture	40,000	-	20,000	20,000	20,000	20,000
<b>Total Books, Supplies and FFE</b>	<b>\$89,750</b>	<b>\$60,600</b>	<b>\$90,100</b>	<b>\$106,600</b>	<b>\$123,100</b>	<b>\$139,600</b>
<i>Other Operating Expenses</i>						
Travel, Conferences, Staff Development	5,000	11,000	16,000	20,000	24,000	28,000
Dues & Subscriptions	-	500	500	500	500	500
Insurance	-	12,000	12,300	12,608	12,923	13,246
Consultants (Auditor, Legal)	10,000	20,000	20,000	20,000	20,000	20,000
Student Testing/Assessment	-	2,500	3,750	5,000	6,250	7,500
Special Education	-	25,000	37,500	50,000	62,500	75,000
Transportation	-	-	-	-	-	-
Field Trips	-	5,000	7,500	10,000	12,500	15,000
Communications (Postage, Phone, Internet)	2,000	7,500	11,250	15,000	18,750	22,500
Charter School Revolving Loan Interest	-	2,500	2,500	2,500	2,500	2,500
Charter School Revolving Loan Repayment	-	-	-	-	-	250,000
Direct Support to Chartering Agency	-	4,969	8,709	11,867	15,160	18,594
Other Expenses	-	5,000	7,500	10,000	12,500	15,000
<b>Total Other Operating Expenses</b>	<b>\$17,000</b>	<b>\$95,969</b>	<b>\$127,509</b>	<b>\$157,475</b>	<b>\$187,583</b>	<b>\$467,839</b>
<b>Total Expenditures</b>	<b>\$200,383</b>	<b>\$822,869</b>	<b>\$1,136,909</b>	<b>\$1,403,875</b>	<b>\$1,660,033</b>	<b>\$2,166,339</b>
<b>Surplus (Deficit)</b>	<b>\$ 49,617</b>	<b>\$ (15,924)</b>	<b>\$ 21,519</b>	<b>\$ 7,831</b>	<b>\$ 43,481</b>	<b>\$ (81,986)</b>
<b>Year End Cash Balances</b>	<b>\$49,617</b>	<b>\$33,692</b>	<b>\$55,211</b>	<b>\$63,042</b>	<b>\$106,523</b>	<b>\$24,536</b>

**Yu Ming Charter School**

**Assumptions**

	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016
	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5

\*All dollars in today's dollars (no COLA)

**Student Enrollment**

Kindergarten		50	50	50	50	50
1st grade		50	50	50	50	50
2nd grade		0	50	50	50	50
3rd grade		0	0	50	50	50
4th grade		0	0	0	50	50
5th grade		0	0	0	0	50
6th grade		0	0	0	0	0
7th grade		0	0	0	0	0
8th grade		0	0	0	0	0
Total Number of students		100	150	200	250	300
New students		100	50	50	50	50

Attendance Rate		95%	95%	95%	95%	95%
ADA		95	142.5	190	237.5	285

**Facility**

Facility square footage		8000	12000	16000	20000	24000
Facility cost per square foot/year		12	12	12	12	12
Facility cost per pupil		180	180	180	180	180

**Funding Rates**

General Purpose Grant funding/pupil		\$ 4,694	\$ 4,811	\$ 4,932	\$ 5,055	\$ 5,181
Categorical Block Grant funding/pupil		\$ 400	\$ 410	\$ 420	\$ 431	\$ 442
Lottery funding/pupil		\$ 137	\$ 140	\$ 144	\$ 148	\$ 151
Class Size Reduction funding/pupil		\$ -	\$ 750	\$ 750	\$ 750	\$ 750
PCSGP	\$ 200,000	\$ -	\$ 175,000	\$ 75,000	\$ -	\$ -
Other donations / fundraising	\$ 50,000	\$ -	\$ -	\$ -	\$ -	\$ -
Fundraising per pupil		\$ 600	\$ 750	\$ 750	\$ 750	\$ 750

**Yu Ming Charter School**

**Staffing Assumptions**

	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016
	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5

Number of credentialed teachers	0.67	4.0	6.0	7.5	9.0	11.0
Number of instructional aides		1	1.5	2	2	2
Number of special subject teachers (FTE)		0.5	1	1.5	2	2
Number of credentialed teaching staff		4.5	7.0	9.0	11.0	13.0
Number of teaching staff		5.5	8.5	11.0	13.0	15.0
Student/credentialed teacher		22.2	21.4	22.2	22.7	23.1
Student/teaching staff		18.2	17.6	18.2	19.2	20.0
Average credentialed teacher salary	\$ 55,000	\$ 55,000	\$ 55,000	\$ 55,000	\$ 55,000	\$ 55,000
Average instructional aide salary	\$ 27,000	\$ 27,000	\$ 27,000	\$ 27,000	\$ 27,000	\$ 27,000

Number of administrators	0.2	1	1	1	1	1
Average Administrator salary	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000

Number of office staff	1.00	1.0	1.0	1.0	1.3	1.5
Office staff: days worked	60	220	220	220	220	220
Hours worked per day: office staff	4.0	8.0	8.0	8.0	8.0	8.0
Hourly wage per office staff	\$ 20	\$ 20	\$ 20	\$ 20	\$ 20	\$ 20

Benefits per FT employee	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000
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## *Yu Ming Charter School 5 Year Budget Narrative*

### ENROLLMENT/EMPLOYMENT RELATED DATA

- **Average Daily Attendance (ADA) Calculation:** 95 percent ADA estimated for current and all future years.
- **Number of Teachers:** Yu Ming Charter School will have 4.5 credentialed teachers in its first year, 7 in its second, 9 in its third, 11 in its fourth, and 13 credentialed teachers in its fifth year. Each year there will be instructional aides employed assisting the credentialed teachers in the kindergarten and first grade classes.

### INCOME

- **Principal Apportionment:** Based on current estimated ADA. Estimated funding levels per pupil for 2011-2012 are as follows: General Purpose Grant funding of \$4,694, Categorical Block Grant funding of \$400, and California Lottery funding of \$137.
- **Federal Revenue:** Yu Ming Charter School is uncertain about the socio-economic mix of its student body and therefore has conservatively assumed minimal Federal Revenue from Title funds.
- **Grants/Foundation/Fundraisers:** Yu Ming Charter School will apply for the Public Charter Schools Grant Program (PCSGP) and has budgeted \$200,000 in the start-up phase, followed by another allocation of \$175,000 in the second year, and finally \$75,000 in the third year of operation. Initial start-up grants and private fundraising will be sought in the development phase. The school's fundraising efforts expect to eventually add \$750 per pupil to the school's yearly revenue during operation. This number is based on the results of family-organized fundraising by other local public schools. The school plans to access the Charter School Revolving Loan Fund in its early stages of operation.

### EXPENDITURES

#### Certificated

- **Teachers' Salaries:** Average starting salaries for the school's certificated teachers will be \$55,000.
- **Administrative Salaries:** The salary for the head of school will be \$100,000.

#### Classified Salaries:

- **Instructional Aides Salaries:** Average instructional aides' salaries will be \$27,000.
- **Clerical/Office Salaries:** An office manager will be hired at a starting hourly wage of \$20/hour.
- **Maintenance and Operations Salaries:** Maintenance/janitorial services will be outsourced utilizing the budgeted funds.

#### Employee Benefits:

- **Benefit** calculations assumes existing published rates for STRS, PERS, Medicare, OASDI, Unemployment Insurance, Workers Compensation, and other benefits.

#### Facility:

- **Building Rental, Facility Costs:** A yearly facility lease of \$114,000 starting in FY 2011-12 has been budgeted assuming a per pupil need of 80 square feet and monthly cost of \$1 per square foot. An additional per pupil maintenance allocation of \$180 has been factored into the above lease figure. An initial \$30,000 has been allocated in the start-up phase to retrofit the facility in

order to assure code compliance. Yearly lease outlays will increase proportionate to student enrollment.

**Books and Supplies:**

- **Textbooks & Other Books:** Assumes that the school initially purchases \$350 in books and supplies for each new student in the start-up phase. Much of the accompanying instructional material will be teacher initiated/created and thus ample resources of have been budgeted to cover copying costs.
- **Computers and Software:** Computers will be purchased for the teachers and staff in the startup phase and for the incoming students in FY 2011-12. Computers will be purchased to meet the ratio of one unit per 5 students and will occur each year thereafter as additional students are enrolled. Each staff computer is assumed to cost \$1500 whereas each student computer will cost \$1200.
- **Equipment and Furniture:** A per pupil allocation of \$500 will be made in the start-up phase to cover the costs of furniture and other equipment and will continue with newly enrolled students in subsequent years.

**Other Services and Operating Expenditures:**

- **Staff Development, Dues, Subscriptions:** Teacher professional development and conference attendance will be supported through a per staff yearly allocation of \$2000. Professional dues and journal subscriptions will be covered using a yearly school-wide lump sum.
- **Insurance:** Yearly liability and structural insurance costs of \$12,000 have been allocated for each fiscal year.
- **Services of Non-instructional Consultants:** Estimates for financial auditing and legal assistance have been budgeted to include a yearly allocation of \$20,000.
- **Special Education:** Contribution to the regional SELPA fund are calculated on a per pupil basis of \$263, based on budgets provided by other charter schools in Alameda County working with the El Dorado County Office of Education SELPA.
- **Extracurricular Activities/FieldTrips:** Student field trip support of \$50 per student is assumed.
- **Charter School Revolving Loan Interest:** One percent yearly interest on the outstanding loan balance is assumed.

**Other Outlay:**

- **Direct Support/Indirect Costs:** One percent of certain eligible revenue to be paid to chartering agency.

## Appendix VII-b: Cash Flow Projection

### Yu Ming Monthly Cash Flow Projections for Two Month Startup Phase and Year One

Revenue	Jun-11	Jul-11	Aug-11	Sep-11	Oct-11	Nov-11	Dec-11	Jan-12	Feb-12	Mar-12	Apr-12	May-12	Jun-12	Jul-12
General Purpose Grant Funding/Pupil			22,297	62,430		40,134	40,134	80,267	2,230		66,890	20,067	111,483	
Categorical Block Grant Funding/Pupil			1,900	5,320		3,420	3,420	6,840	190	3,254	5,700	1,710	9,500	
Lottery Funding/Pupil				3,254									3,254	
Class Size Reduction Funding/Pupil														
PCSGP	200,000													
Charter School Revolving Loan			250,000											
Other Donations														
Family Fundraising														
<b>Total Revenue</b>	\$ 250,000	\$ -	\$ 279,197	\$ 76,004	\$ 5,000	\$ 5,000	\$ 51,807	\$ 92,107	\$ 7,420	\$ 8,254	\$ 77,590	\$ 26,777	\$ 129,236	\$ 5,000
<b>Expense</b>														
<b>Personnel</b>														
Teachers	18,333	18,333	20,625	20,625	20,625	20,625	20,625	20,625	20,625	20,625	20,625	20,625	20,625	20,629
Aides	0	0	2,250	2,250	2,250	2,250	2,250	2,250	2,250	2,250	2,250	2,250	2,250	2,250
Administrators	10,000	10,000	8,333	8,333	8,333	8,333	8,333	8,333	8,333	8,333	8,333	8,333	8,333	8,333
Office Staff	2,400	2,400	2,933	2,933	2,933	2,933	2,933	2,933	2,933	2,933	2,933	2,933	2,933	2,933
Benefits	1,083	1,083	9,375	9,375	9,375	9,375	9,375	9,375	9,375	9,375	9,375	9,375	9,375	9,375
<b>Total Personnel</b>	31,817	31,817	43,517	43,517	43,517	43,517	43,517	43,517	43,517	43,517	43,517	43,517	43,517	43,521
<b>Facility</b>														
Rent			9,500	9,500	9,500	9,500	9,500	9,500	9,500	9,500	9,500	9,500	9,500	9,500
Utilities (Gas, Electric, Phone, Security, Waste)			900	900	900	900	900	900	900	900	900	900	900	900
Custodial			1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400
Retrofitting, Repair, Maintenance	30,000		208	208	208	208	208	208	208	208	208	208	208	208
<b>Total Facility</b>	30,000	0	12,008	12,008	12,008	12,008	12,008	12,008	12,008	12,008	12,008	12,008	12,008	12,008
<b>Books and Supplies</b>														
Books	25,000		833	833	833	833	833	833	833	833	833	833	833	833
Materials	10,000		833	833	833	833	833	833	833	833	833	833	833	833
Printing, Reproduction, Copier Lease			1,133	1,133	1,133	1,133	1,133	1,133	1,133	1,133	1,133	1,133	1,133	1,133
Software Licenses			3,000											
Computers	9,750		24,000											
Other Equipment	5,000													
Furniture	40,000													
<b>Total Books, Supplies and FFE</b>	89,750	0	29,800	2,800	2,800	2,800	2,800	2,800	2,800	2,800	2,800	2,800	2,800	2,800
<b>Other Operating Expenses</b>														
Travel, Conferences, Staff Development	5,000							1,000						10,000
Dues & Subscriptions			500											
Insurance			1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
Consultants (Auditor, Legal)	10,000		10,000											
Student Testing/Assessment								1,250						1,250
Special Education			2,083	2,083	2,083	2,083	2,083	2,083	2,083	2,083	2,083	2,083	2,083	2,083
Transportation														
Field Trips					1,250				1,250					
Communications (Postage, Phone, Internet)	2,000		625	625	625	625	625	625	625	625	625	625	625	625
Charter School Revolving Loan Interest			208	208	208	208	208	208	208	208	208	208	208	208
Carter School Revolving Loan Repayment														
Direct Support to Chartering Agency			414	414	414	414	414	414	414	414	414	414	414	414
Other Expenses			417	417	417	417	417	417	417	417	417	417	417	417
<b>Total Other Operating Expenses</b>	17,000	0	15,247	4,747	5,997	4,747	5,997	16,997	5,997	4,747	4,747	5,997	5,997	14,747
<b>Total Expenditures</b>	168,567	31,817	100,572	63,072	64,322	63,072	64,322	75,322	64,322	63,072	63,072	64,322	64,322	73,076
<b>Surplus (Deficit)</b>	81,433	-31,817	178,624	12,932	-59,322	-14,518	-12,515	16,785	-56,902	-54,818	14,517	-37,545	64,914	-68,076
<b>Total Reserves</b>	81,433	49,617	228,241	241,173	181,851	167,332	154,818	171,603	114,700	59,882	74,399	36,854	101,768	33,692