

I. Founding Group

As a previously existing school, the founding group of the Maria Montessori Charter Academy includes:

- The lead petitioner, Brent Boothby, J.D.-M.B.A., M.M.C.A.'s Principal / Administrator for the past six years;
- The current staff of the M.M.C.A., which includes 16 classroom teachers, an intervention teacher, a Business Manager, an Office Manager and 3 part-time instructional aides;²
- The current Charter Governance Council, including:
 - ▷ President: Tracy Estridge
 - ▷ Vice President: Bill Scott
 - ▷ Secretary: Bruce Houdesheldt
 - ▷ Treasurer: Jennifer Tarabochia
 - ▷ Members at large: Sarah Lynch, Hadley Grow, Shelley Ann Marsh, Laura Crouch, Diane Bryant and Banetta Bacchi

²staff names available on the Petition signatory page.

II. EDUCATIONAL PHILOSOPHY AND PROGRAM

Governing Law: A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners. -- California Education Code Section 47605(b)(5)(A)

A. Introduction to Educational Philosophy and Program

Montessori philosophy states that a child has an innate desire to learn and produce purposeful, meaningful work. Dr. Montessori believed that the role of the adults in a child's education is to provide an appropriate environment, complete with tools and methods, to facilitate his own discovery of knowledge and skills at the time when it has the most impact for him as an individual. This system has a foundation in trust and respect of the individual and the result is children who soar beyond traditional expectations. Advanced children are continually challenged. Remedial children, or those developing at a different rate, get a solid foundation at their own pace, and all work on a time-line that is right for them.

Montessori methods were initially developed in the early 1900's for disadvantaged students who were at that time considered mentally retarded. Dr. Maria Montessori's students, using the child centered approach she had created through scientific observation, soon scored at grade level with other "normal" students. Her program was quickly moved into the general population with amazing success. The spread of Dr. Montessori's methods in the United States have been focused, predominately, at younger children. Private elementary Montessori schools are frequently unavailable or have extensive waiting lists. Students from Montessori Children's Houses (age 2 ½-6) typically enter the public school system academically ahead of their non-Montessori peers (most especially in reading) and are working in a more independent, self-directed, organized fashion.

They have a positive feeling toward "their work" and take ownership in their daily tasks and accomplishments. This approach results in yearly assessments that may appear uneven, but at the conclusion of the 3-year term, achievement matches, and often exceeds, expected outcomes. Most importantly, the child has developed self-discipline, shows initiative, and accepts responsibility for his own progress: He loves learning and considers it "his work". He knows how to "teach" himself, and so has become a life-long learner with the utmost confidence in his abilities. Recent trends in educational reform have targeted certain population groups—socio-economically disadvantaged students, special needs students, minority students who speak English as a second language, to name a few. While these students, as well as those identified as "gifted", receive special programs and help, the average student must fit into a teacher-directed system that may or may not match his developmental stages and learning style, capitalize on his strengths, or promote his natural interest and joy in discovery.

While recognizing that the traditional system has met the educational needs of many, the option of a school where students work in multi-age classrooms with individual learning plans using proven methods and materials which are progressive, and frequently self-correcting, can be a great benefit to students in any community. It is worth noting that since MMCA's inception in 2000, there have been nearly a dozen public Montessori schools (both charter and magnet) that have started in the greateramento area.

B. Mission Statement and Core Values

a. Mission Statement

The mission of the Maria Montessori Charter Academy ("M.M.C.A.") is to provide a Montessori based educational environment which has the tools, programs, resources and support to enable students to become educated to high international academic standards and to develop themselves to their fullest capacity as competent, happy, productive individuals, family members, workers, and contributors to a better society and a peaceful world.

This is achieved through a heavy commitment from the village: parents, teachers, community groups, the legislature and, most importantly, the individual child, and is grounded in a philosophy of trust in individuals to seek their own highest levels.

b. Core Values

- Internationally high academic standards and expectations of achievement with emphasis on CORE subjects
- Small total school population and mixed age classrooms
- Creative, passionate, progressive teachers who are committed to Montessori philosophy
- Responsibility, accountability, and freedom for individual progress within the academic framework
- Challenges to develop critical reasoning, openness to encourage creativity, and opportunities to facilitate service
- High, unwavering Standards of Conduct:
 - Respect: Seeking ones share of the workload
 - Honesty: Balancing individual and group needs
 - Courtesy: Exceptional manners
- Emphasis on collaboration, peer governance, problem solving, and goal-setting according to developmental readiness
- High parental involvement and collaboration in education and governance

2. Educational Program Description

a. Whom the Academy Seeks to Educate

The Academy will be a public charter elementary school (K-8) located in South Placer County. As such, it will offer an open enrollment policy. However, the Academy will be particularly interested in attracting students who hold the following characteristics:

1. The interest and motivation to be educated in the Montessori approach.
2. The ability and capability to work independently.
3. The propensity to be self-motivated in learning and achievement.

b. Model of the Educated Person

The Academy holds that an educated person is well rounded and balanced. This individual is able to use his intellect as well as his body to its fullest. He is an empathetic, collaborative member of a community yet is motivated to set and achieve goals for himself. He demonstrates proactive empathy towards others and seeks respectful and productive interactions with all he meets. He views himself as a global citizen who is empowered, and responsible, for making positive changes in the world and his immediate environment. He seeks spiritual understanding and peace for himself, and appreciates and protects the right of others to do likewise. He develops personal habits leading to a healthy lifestyle which includes balancing leisure, work, family, and community.

As a SCHOLAR, he is proficient in math, science, social studies, languages and the arts. As a member of the global community, he is proficient in at least one language in addition to English.

As a HEALTHY PHYSICAL BEING, he is knowledgeable of and practices good nutrition, safety, and a healthy lifestyle. He develops habits of physical challenge in ways that provide pleasure, stress release, and fitness.

As a COMMUNITY MEMBER, he is able to collaborate with others, cooperate on projects, and manage and resolve conflicts. He is motivated and ready to provide meaningful service to others and makes significant contributions with his developed talents.

As a CITIZEN OF THE WORLD, he understands the basis of our constitutional democracy, the rights and responsibilities of all, and stays informed on important political, social, and environmental issues. He is informed regarding other political, social and cultural systems and seeks to understand and co-exist peacefully.

As a SPIRITUAL BEING, he feels a connection with all of life and desires to live in harmony with nature. This means that every act of carelessness, selfishness, indifference, hatred and violence toward nature or toward other human beings is actually an act against himself, his family, and his culture. He seeks the highest of human virtues, such as love, caring, generosity, responsibility for actions, forgiveness, compassion and openness to one another. This leads to sharing rather than accumulating, to cooperation rather than competition, and to peace rather than violence.

As a MEMBER OF AN INCREASINGLY TECHNICAL AND INFORMATION BASED WORLD, he is competent and comfortable using a wide variety of technology as an integral part of his life and is open to embracing new alternatives as they become available.

c. Development of Self-Motivated, Competent, and Life-long Learners

The Academy is committed to the development of self-motivated, competent, life-long learners. The Montessori curriculum is designed to promote individual initiative, critical thinking, self-reliance, intra and interpersonal awareness and community involvement.

Dr. Montessori's methods are based on her scientific studies of how learning best occurs. Specific methods for encouraging self-motivated learning include:

- Multi-age, skill/readiness-based class groupings
- Interdisciplinary, project based learning
- Individualized lessons and learning in small group settings
- Use of a prepared environment and hands-on materials which are progressive in complexity and often self-correcting
- A flexible time-line which allows introduction of new material when it is most impactful to the individual
- Individual Learning Plans
- Low student-to-teacher ratios

d. Learning Occurs Best When:

- Students are actively engaged in meaningful tasks
- A connection is made between what students learn and the real world in which they live
- Individual plans and support are an intrinsic parts of the educational program
- Students have some choice in the structure of their own projects and plans
- Work is accomplished individually and as members of a group
- Activities are integrated and meaningful
- Work is developmentally appropriate, leads to success, and is progressively complex
- Meaning is constructed from experiences
- Students are encouraged and expected to learn
- Coaches, mentors, family, and advocates support the learners
- Students are encouraged to help others learn and to learn from others

e. Academic Habits

Clear expectations of how learning is approached in the classroom as well as the cultivation of useful habits serve the child in his lifelong quest for knowledge, long after graduation from the Academy. The following are some of the habits encouraged in the pursuit of learning.

- Curiosity
- Clear oral and written communication
- Creative thinking
- Logical thinking toward well informed conclusions
- Use of technology
- Adapting readily and responsively to new situations and information
- Using effective problem solving
- Finding, selecting, evaluating, organizing and using information from various sources
- Seeking alternative, and contrary, perspectives
- Making connections among various disciplines of thought
- Evaluating the reliability of information from video, audio, and printed sources, including advertising, the media, and the Internet.

- Making well-reasoned, supportable decisions

f. Personal Habits and Attitudes

- Courtesy, good manners and respect
- Honesty and fairness
- Accepting responsibility for personal decisions and actions
- A healthy lifestyle
- Empathy for others and respect for differences among people and cultures
- Concentration and perseverance
- Making and keeping commitments
- Self confidence and a willingness to make mistakes in order to learn
- Seeking a fair share of the workload
- Working cooperatively with others including: listening, sharing opinions, negotiating, compromising, helping the group reach consensus and taking a stand.
- Seeking and utilizing various personal adaptive techniques for handling frustration, setbacks or other barriers to reaching goals

D. Program Design

M.M.C.A. is a **site-based** program. Students are expected to attend school daily. Core instruction will take place between 8 AM and 3 PM. Additional support and learning opportunities may happen before M, between 3 and 6 PM and on weekends.

The environment will be **small and personalized**. Research shows that small schools allow students and teachers to develop more intensive, long-term relationships that enable better conditions for teaching and learning. M.M.C.A. will provide these opportunities to its students and faculty through its small size (approximately 300 students) and small classes (student to teacher ratio of 16:1 or less).

a. Implementation of Educational Program / Curriculum

M.M.C.A. will be a “hybrid” public elementary school, in that it will combine elements of the traditionally private Montessori methodology within the accountability and framework of the California State Standards. This “hybrid” model has an established track record. In eight years of operation prior to joining the Rocklin Unified School District, M.M.C.A. has met every one of its Annual Yearly Progress (“AYP”) benchmarks, and had an API in 2007 of 813³. Characteristics of this hybrid model will include:

1. *Pedagogy (teaching methods)*

- Differentiated Instruction*
- Interdisciplinary Curriculum*
- Project and experiential-based instruction*
- Integrated technology*

M.M.C.A.'s prior year AYP data is available at the <http://www.ayp.cde.ca.gov>.

2. Curriculum

- a. *Montessori-based materials and manipulatives*
- b. *Traditional "regular public school" materials (example: MMCA uses the "Write Traits 4 Kids" writing program)*

3. Professional Development

- a. *Montessori training*
- b. *Mentor teachers for new staff*
- c. *Attendance at conferences where appropriate*

E. Academically Low Achieving Students

At M.M.C.A., low-achieving students are those who perform at a basic level on California State Standards Exams. At-risk students are those who perform at a below basic or far below basic level on California Standards Exams. Students from either of these groups may or may not qualify for special education services.

The entire structure of M.M.C.A.'s program, curriculum and instructional strategies as described above maximizes the learning opportunities of low-achieving and at-risk students. Low-achieving and at-risk students are thoroughly integrated into the entire student body at the school and participate fully in all aspects of the curriculum. Additionally, these students are provided with the following additional supports:

- a. Each student's progress is regularly monitored by his/her teacher(s);
- b. Student work plans are modified based on individual student needs;
- c. Additional instruction time with M.M.C.A.'s Intervention Teacher

F. Student Success Teams

M.M.C.A. is committed to working with students who are achieving below grade level to help them achieve at expected levels; and to those students who are performing above grade level and needing additional challenge. M.M.C.A. will identify students who are performing below or above grade level, or those students otherwise having behavior issues, and utilize a Student Success Team ("SST") process to develop a plan to address their individual needs.

A SST uses a systematic problem solving approach to assist students with concerns that are interfering with success. The SST clarifies problems and concerns; develops strategies and organizes resources; provides a system for school accountability; and serves to assist and counsel the parent, teacher and student. A SST is a general education function. All students can benefit from an SST, including but not limited to, those students achieving below or above grade level and students who have experienced emotional trauma, behavioral issues, or language issues.

Anyone who has a concern for a student can refer that student to SST for consideration. Anyone who is connected with that student can be included in the SST to provide information to share about the student's strengths, concerns and strategies that have been used in the past. These people may include, but are not limited to, teachers, parents, counselors, doctors, administration, social workers and law enforcement. The meeting is designed to bring out the best in the people involved.

MMCA's 12 SST meeting steps shall include:

1. Team members introduce themselves and their roles
2. Purpose and process of the meeting are stated
3. Timekeeper is appointed
4. Strengths are identified
5. Concerns are discussed, clarified and listed
6. Pertinent information and modifications are listed
7. Concerns are synthesized with one or two chosen for focus
8. Strategies to deal with are chosen; concerns are brainstormed
9. Team chooses best strategies to carry into actions
10. Individuals make commitments to actions
11. Person responsible and timelines for actions are recorded
12. Follow-up date is set

After implementation of a SST plan and follow up, if the problem continues, revisions to the plan may be discussed, or if necessary, a referral for special education or Section 504 assessment might be deemed necessary by the SST. Rocklin Unified School District Special Education staff will be a part of every SST team, and will handle all evaluations and determinations regarding any possible special education placement.

G. Academically High-Achieving Students

All students at MMCA are given lessons and work based on their abilities in all Language Arts-related and Mathematic subject areas, thus students who are capable of working significantly above their grade level are given that opportunity. In addition, enrichment activities in the non Language Arts and Mathematics-based subject areas are also developed for high achieving students.

A. English Language Learners

MMCA will serve English Language Learners ("ELL") at the school site through a sheltered English immersion program in conjunction with the Rocklin Unified School District's ELL program. Under this program, the ELL student is enrolled in a regular class and receives supplementary instruction in order to learn English. MMCA will comply with all applicable federal law in regard to services and the education of ELL students, including insuring that any identified ELL student is placed within a CLAD certified teacher's classroom. In coordination with the Rocklin Unified School District, M.M.C.A. will develop, implement and maintain policies and procedures for the provision of services to ELL students in accordance with guidance published by the Office of Civil Rights of the U.S. Department of Education. At a minimum, these policies and procedures shall ensure the following:

- The school will identify students who need assistance through the use of a home language survey and mandatory CELDT testing as required by law.
- The school will develop a program, which in the view of experts in the field, has a reasonable chance of success.

- The school will ensure that necessary, appropriately credentialed staff, curricular materials, and facilities are in place and used properly.
- The school will develop appropriate evaluation standards, including program exit criteria, for measuring the progress of students; and assess the success of the program and modify it where needed.

B. Special Education

The school will comply with all applicable state and federal laws in serving students with disabilities including but not limited to Section 504 of the Rehabilitation Act ("Section 504"), including any necessary accommodations or modifications necessary for STAR-related testing, the Americans with Disabilities Act ("ADA") and the Individuals with Disabilities in Education Act ("IDEA").

M.M.C.A. pledges to work in cooperation with the Rocklin Unified School District, other local education agencies (LEAs) and special education local plan areas (SELPA) to ensure that a free and appropriate education is provided to all students with exceptional needs enrolled at M.M.C.A. in accordance with the Individuals with Disabilities in Education Act (IDEA). Consistent with the IDEA and Education Code §47641 (b), M.M.C.A. is a public school of the District for special education purposes and shall remain a public school of the District unless it has met the requirements to be a local educational agency, pursuant to Education Code §47641 (a).

While M.M.C.A. remains a school of the R.U.S.D. for special education purposes, M.M.C.A. and the R.U.S.D. shall annually, and in good faith, negotiate and enter into a written agreement to clearly specify the desired mix of special education funding and services to be provided (See *Appendix H* for agreement). The school shall enjoy reasonable flexibility to decide whether to receive services, funding, or some combination of both pursuant to Education Code Section §47646(b). M.M.C.A. and R.U.S.D. shall work in good faith to document the specific terms of this relationship in an annual contract or memorandum of understanding (*Appendix H*).

M.M.C.A. shall have the legal authority to pursue independent local education agency (LEA) status pursuant to Education Code Section §47641(a), and/or special education local plan area (SELPA) status.

Child-fund Obligations:

- M.M.C.A. agrees to adhere to all policies, procedures, and requirements of the SELPA and the Local Plan for Special Education.
- R.U.S.D. special education staff serving M.M.C.A. students will be under the supervision of the District Director of Special Education, or his/her designees.
- Any student who may qualify for special education services shall be referred to the District Office of Special Education by the MMCA for evaluation. The MMCA staff, parents, and District staff will convene a Student Study Team meeting to consider special education assessment. If the resulting evaluation establishes that the student is eligible for special education services, such services will be provided by the District. The MMCA shall be

responsible for having the designated representative(s) in attendance at IEP meetings which will be scheduled in consultation with the District.

III. MEASUREABLE STUDENT OUTCOMES

"The measurable pupil outcomes identified for use by the charter school. 'Pupil outcomes,' for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program."

-California Education Code Section 47605(b)(5)(B)

All students will experience a common core of learning that fulfills M.M.C.A.'s mission. The purpose of the Charter is to facilitate the student's achievement of the following outcomes. The Montessori curriculum is integrated. Core academic subjects are presented to students throughout all daily activities, embracing many perspectives to result in thorough comprehension.

A. Core Academic Skills - Appropriate age or grade level mastery of:

1. World History

Students will demonstrate and apply society's historical, geographical, and cultural knowledge in order to serve as global citizens in today's world.

2. Language Development

Students will be strong comprehensive readers. They will develop strong speaking and debating skills. Grammar, writing, and vocabulary enrichment will be demonstrated in many forms of expression.

3. Mathematics

Students will develop abilities to reason logically and to understand and apply mathematical processes and concepts including those within arithmetic, algebra and geometry. They will practice critical thinking, problem solving and knowledge application skills.

4. Science

Students will successfully utilize scientific research and inquiry methods to understand and apply the major concepts underlining various branches of science which may include physical and earth, botany, zoology, physics, chemistry, and ecology.

5. Second Language

Students will gain exposure to speaking, reading, writing, and listening comprehension of at least one second language offered by the Academy in addition to English. Students will understand certain aspects of the origin and culture, both past and present, of the second language.

6. Artistic Expression

Students will apply and appreciate the many forms of artistic expression. Utilizing paints, sculpting materials, music, dance and drama, students will demonstrate historical aspects of the arts while discovering personal talents.

7. Health Education

Students will demonstrate development of the whole person; physically, emotionally, spiritually and intellectually. By applying physical activities, nutrition awareness, safety, and self-exploration practices to their daily routines, students will learn to balance and manage work, leisure, family and community.

B. Life-Long Learning Skills

It is the goal of M.M.C.A. that students will develop skills that will enable them to pursue their own path of learning throughout their adult lives. These include:

1. Self Confidence and a Positive Attitude Towards Learning

Tasks are designed so that each step of learning is based upon what the child has already mastered, thus removing the negative experience of frequent failure. Repeated work with tasks, which are developmentally appropriate, and a carefully planned series of success, builds inner confidence in the child developing a positive attitude towards future learning.

2. Abiding Curiosity

Students are provided with opportunities to discover qualities, dimensions, and relationships among a rich variety of learning situations, curiosity is stimulated and an essential element in creative learning is established. A deep, persistent, and abiding curiosity is a prerequisite for future learning and education.

3. Initiative and Persistence

Students are surrounded by developmentally appropriate materials and activities accustomed to engaging in activities on their own. Gradually, this results in a habit of initiative – an essential quality in leadership. "Ground Rules" in the classroom call for completing a task once begun. This "completion expectation" gradually results in a habit of persistence.

4. Reflection and Evaluation

Multi-age classrooms are designed to facilitate peer learning and self-reflection in an environment where observation happens naturally. The security created allows for evaluation of self and peers' learning.

Social / Interpersonal Skills

Multi-age groupings create a sense of community within the classroom. This community develops avenues for students to build the following skills:

1. Citizenship

This community setting forms a sense of 'belonging'. From this belonging students can identify personal placement in the functioning of this group.

2. Collaboration

The ability to work effectively with others in intellectual endeavors, and to work cooperatively in groups encountering diverse perspectives, is addressed in the Montessori classroom on a daily basis.

3. Conflict Resolution

Conflict resolution techniques are learned and practiced effectively in the classroom and within the overall school environment by engaging in the process of responsible, compassionate peer relations, guided by respect. The strong community member skills mastered in the classroom will be expanded into a sense of belonging throughout the school as a whole through inter-classroom collaborative projects. Other projects will be community-outreach based and teach awareness and understanding of the school's place in the community. Applying this awareness and these skills will develop productive citizens of today's world.

METHODS TO ASSESS PUPIL PROGRESS TOWARDS MEETING OUTCOMES

Governing Law: The method by which pupil progress in meeting those pupil outcomes is measured. -- California Education Code Section 47605(b) (5) (C)

Student exit outcomes will be further subdivided into a list of specific skills required in each of the above areas at different age and skill-levels. The specific age and skill-levels will meet or exceed those included in the California State content and performance standards. In addition to attaining specific content area and age/skill-level standards, students will demonstrate overall progress toward graduation readiness through a series of "benchmark" achievements at various points throughout their experience at the Academy.

A. Pupil Outcomes

The student will be assessed using a variety of methods that include the following:

1. Standardized tests, including required state assessment tests
2. Formalized assessment in core subject areas (language arts and mathematics) four times per year by classroom teachers to ensure proper ability group placement for individualized instruction.
3. Personal interactive journals
4. Portfolios and handmade books
5. Informal oral exams
6. Demonstration of mastery using manipulative materials
7. Demonstration of mastery by peer teaching
8. Formal presentation to the class of projects and reports
9. Written evaluations by staff via standards-based trimester report cards of level regarding academic mastery and behavior (personal development)
10. Self-Assessments - Reflection on both long and short term planning for Individual Learning Plan

B. School-wide Outcomes

a. State Content Standards

MMCA is dedicated to documenting student achievement of the state content standards each year in its core subjects. MMCA will use an integrated standards-based report card for all of its students.

b. State Standardized Testing

It is the goal of MMCA to have its students show measurable growth each academic year, as evidenced by scores on the state's standardized test program (STAR).

c. Attendance

It is the goal of the MMCA to exceed the District average for student attendance.

d. Academic Performance Index

It is the goal of MMCA to meet its Academic Performance Index growth targets on an annual basis.

e. Adequate Yearly Progress

It is the goal of MMCA to make adequate yearly progress ("AYP") as defined by the No Child Left Behind Act ("NCLB")."

C. Methods of Measurement of Pupil Outcomes

<u>OUTCOME</u>	<u>METHOD(S) OF MEASUREMENT</u>
<i>State Content Standards</i>	<i>CAT6, CST, Internal and External Assessments, Standardized Report Cards, Teacher Records, Work Samples, Portfolios</i>
<i>Standardized Testing Growth</i>	<i>CAT6, CST, CELDT</i>
<i>Attendance</i>	<i>Attendance records</i>
<i>Academic Performance Index ("API") Growth Target</i>	<i>API Score</i>
<i>Adequate Yearly Progress</i>	<i>As measured by state in accordance with NCLB.</i>

D. USE AND REPORTING OF DATA

Staff will receive data on student achievement during regularly scheduled staff meetings and will use this data to help monitor and improve the School's education program.

Parents and guardians will receive data on student achievements at least three times per year on report cards. Additional correspondence will be provided when necessary.

I.M.C.A. will compile and provide to the Rocklin Unified School District Board of Education an annual performance report. This report will, at a minimum, include the following data:

- Summary data showing student progress toward the goals and outcomes listed above.
- A summary of major decisions and policies established by the Charter School Board during the year.
- Data on the level of parent involvement in the Charter School's governance (and other aspects of the school, if applicable).
- Data regarding the number of staff working at the school and their qualifications.
- A copy of the school's health and safety policies and/or a summary of any major changes to those policies during the year.

GOVERNANCE STRUCTURE

"The governance structure of the school including, but not limited to, the process to be followed by the school to ensure parental involvement."

-California Education Code Section 47605(b)(5)(D)

A. Legal Status

The organizational design of the governance structure of the Academy reflects the vision of an educational community with the core values of strong parental involvement and participation. The governance structure includes administrative guidance from the sponsoring school district, governance by an elected Governing Board and participation by corresponding standing and special committees.

a. Organizational Entity status

M.M.C.A. has constituted itself as a non-profit California public benefit corporation pursuant to California law. Evidence of the school's incorporation can be found at Appendix D, "Evidence of Organization's 501(c)(3) Incorporation."

b. District Relationship

As the sponsoring school district, Rocklin Unified shall provide basic oversight for M.M.C.A..

R.U.S.D. shall not be held liable for M.M.C.A.'s debts or obligations or for claims arising from the performance of acts, errors or omissions by the M.M.C.A. in accordance with Education Code Section §47604(c). M.M.C.A. shall have no authority to enter into contracts for or on behalf of the R.U.S.D. All contracts entered into by M.M.C.A. shall be M.M.C.A. sole responsibility. R.U.S.D. shall have no authority to enter into contracts on behalf of M.M.C.A. without M.M.C.A.'s approval.

By-Laws

The Academy shall be governed by adherence to by-laws. At a minimum, these by-laws shall contain the following:

1. The means by which Governing Board Members are to be nominated, selected, and removed from office;
2. The duration of each Governing Board's term of office;
3. The method by which Governing Board meetings will be held
4. The means by which parents, teachers, students, and other members of the community may communicate with the Governing Board
5. The procedure by which by-laws may be amended.

A copy of the Charter Council's current by-laws is included as *Appendix G, "M.M.C.A. Board of Director / Charter Council By-laws."*

Governing Board

The Governing Board (also known as the school's "Charter Council") is the governing entity. It consists of parent representatives, teachers, and community members. In addition, the Executive Director and an appointee of the Rocklin Unified School District sit on the Governing Board as non-voting members. All Governing Board meetings shall be conducted according to the terms of the Brown Act (Gov. Code Section 54950). The Governing Board will follow the state of California's Political Reform Act. At a minimum, the duties and responsibilities of the Governing Board shall include the following:

1. Approval of the annual school budget, calendar, salary schedules, major fundraising events, and grant writing;
2. Negotiation and Approval of a Memorandum of Understanding (MOU) or other contracts with the School District;
3. Approval of all contracts, contract renewals, and personnel actions (e.g. hiring, discipline, dismissal)
4. Approval of bylaws, resolutions, and policies and procedures of school operation
5. Approval of all changes to the school charter to be submitted as necessary in accordance with applicable law
6. Long-term strategic planning for the School;
7. Participation as necessary in dispute resolution ;
8. Monitoring overall student performance;
9. Filling the position of School Principal
10. Evaluation of the School Principal
11. Monitoring the performance of the Charter School and taking necessary action to ensure that the school remains true to its mission and charter;
12. Monitoring the fiscal solvency of the school;
13. Participation in the School independent fiscal audit;
14. Participation in the School programmatic audit;
15. Participation as necessary in student expulsion matters; and
16. Increasing public awareness of the Charter School

Conflict of Interest Policy

The M.M.C.A. will adopt with its by-laws a Conflicts of Interest Policy. The current Conflicts of Interest Policy is included with the proposed by-laws in *Appendix G*.

E. Executive Director

Day to day administration of the Academy is managed by the Executive Director (also known as "Principal / Administrator"), and to the extent practical, in collaboration with teams of students, parents, teachers and administrators. The Business Officer reports to the Executive Director. The Executive Director may create committees as needed.

Examples of committees include:

1. Facilities (includes site and equipment)
2. Finance (includes budget and funding)
3. Fundraising (includes grants and donations)
4. Program (includes curriculum, assessment, and materials)
5. Personnel/Teacher Staffing
6. Marketing/Public Relations
7. Policy Development/Governance
8. Parent Association/Student Enrichment
9. Before and After Child Care
10. Legal (includes legislation)

Parental Involvement

The Academy will encourage families to give of their time to promote the success of the Academy and its programs. The Academy will work with the parent association to develop parent involvement policies and strategies.

Parent involvement includes the following:

1. Participation in the development of the Individual Learning Plans
2. Participation with homework and support weekly learning assignments
3. Attendance at Parent Association meetings/educational meetings four (4) times per year
4. Attendance for progress report meetings with the teacher
5. Forty hours of service to the M.M.C.A. This can include, for example, serving on the Governing Board or Standing Committees, providing physical labor, providing professional or para-professional services, volunteering in the classroom, the office or on the playground, assisting with one of our after school extra-curricular committees, and working on school-related projects in the evenings or on the weekends.

Indemnity Clause for M.M.C.A. and R.U.S.D.

Maria Montessori Charter Academy shall indemnify, defend and hold harmless the Rocklin Unified School District, its Board, officers, employees and agents from and against any and all actions, allegations, claims, costs, damages, fees, and judgments by third parties resulting from the actions or omissions of Maria Montessori Charter Academy, its Board, officers, employees or agents, with the exception of any actions, allegations, claims, costs, damages, fees, and judgments that arise from the action or inaction of the Rocklin Unified School District, its Board, officers, employees or agents.

The Rocklin Unified School District shall indemnify, defend and hold harmless Maria Montessori Charter Academy, its Board, officers, employees and agents from and against any and all actions, allegations, claims, costs, damages, fees, and judgments by third parties resulting from the actions or omissions of the Rocklin Unified School District, its Board, officers, employees or agents, with the exception of any actions, allegations, claims, costs, damages, fees, and judgments that arise from the action or inaction of the Maria Montessori Charter Academy, its Board, officers, employees or agents.

F. Initial M.M.C.A. Board of Directors with Term Expiration Dates

Member	Position	Term Expiration Date
Tracy Estridge	President	December 2008
Bill Scott	Vice President, public school educator	December 2009
Bruce Houdesheldt	Secretary	December 2008
Jennifer Tarabochia	Treasurer, public school educator	December 2009
Bradley Grow	Community professional	December 2009
Shelley Ann Marsh	MMCA Parent At-large	December 2008
Barah Lynch	MMCA Parent At-large	December 2009
Shirley Bryant	MMCA Teacher	December 2008
Laura Crouch	MMCA Teacher	December 2008
Janetta Bacchi	MMCA Parent At-large	December 2009

I. HUMAN RESOURCES

A. QUALIFICATIONS OF SCHOOL EMPLOYEES

Governing Law: The qualifications to be met by individuals to be employed by the School. -- California Education Code Section 47605(b)(5)(E)

a. Administrators

The Administrators of the Academy shall possess leadership and organizational abilities and a comprehensive educational vision that is consistent with the Academy's commitment to the Montessori educational philosophy.

b. Teachers

Teachers are pivotal to student success at the Academy. The teacher's ability to closely observe the child enables her to create the proper environment and to support the child's inner developmental timeline and will preserve his sense of wonder and excitement toward learning. The Academy will retain or employ teaching staff who hold appropriate California teaching certificates, permits, or other documents issued by the Commission on Teacher Credentialing, as required by law. All core-subject teachers at The Academy will be NCLB compliant. The Academy recognizes the need for balance between years of experience in the Montessori method and California certification and will meet the requirements of the state while pursuing the Montessori methodology in the classroom. The Academy will attempt to create opportunities for professional development for teachers and other staff, including supplemental training in the Montessori methodology.

c. Other Instructors

Under the direct supervision of an NCLB compliant teacher, The Academy may also employ or retain non-certified instructional staff in the case where a prospective staff member has an appropriate mix of subject matter expertise, professional experience, and the demonstrated capacity to work successfully instructing students in non-core subject matter areas.

d. Support Staff

The Maria Montessori Charter Academy will retain and employ non-instructional staff who possesses the experience and expertise appropriate for the position as outlined in the school's staffing plan and personnel policies.

RETIREMENT BENEFITS

Governing Law: The manner by which staff members of the Charter Schools will be covered by the State Teachers' Retirement System, the Public Employee's Retirement System, or federal social security. -- California Education Code Section 47605(b)(5)(K)

Employees at the Charter School shall participate in STRS, PERS and the federal social security system as applicable to the position. The Charter School shall inform all

applicants for positions within the Charter School of the retirement system options for employees of the Charter School.

C. EMPLOYEE REPRESENTATION

Governing Law: A declaration whether or not the Charter School shall be deemed the exclusive public school employer of the employees of the Charter School for the purposes of the Educational Employment Relations Act. -- California Education Code Section 47605(b)(5)(O)

The Charter School shall be deemed the exclusive public school employer of the employees of the Charter School for the purposes of the Educational Employment Relations Act.

D. RIGHTS OF SCHOOL DISTRICT EMPLOYEES

Governing Law: A description of the rights of any employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school. -- Education Code Section 47605(b)(5)(M)

Employees of the District who choose to leave the employment of the District to work in the Charter School shall have no automatic rights of return to the District after employment at the Charter School unless specifically granted by the District through a leave of absence or other agreement of the District as aligned with the collective bargaining agreements of the District.

E. HEALTH AND SAFETY

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

a. Procedures for Background Checks

The Charter School will comply with the provisions of Education Code Section 44237 and 45125.1 regarding the fingerprinting and background clearance of employees, contractors and volunteers prior to employment, volunteering, or contract services or any unsupervised contact with pupils of the Charter School. The Principal of the Charter School shall review Department of Justice reports on prospective employees, contractors, and volunteers to determine whether an employee may be employed in accordance with Education Code Section 44237 or 45125.1, except with respect to her or himself, in which case the President of the Board will review. The Principal shall monitor compliance with this policy and report to the Board of Directors on a quarterly basis.

b. Role of Staff as Mandated Child Abuse Reporters

All classified and certificated staff will be mandated child abuse reporters and will follow all applicable reporting laws, the same policies and procedures used by the District.

c. **TB Testing**

The Charter School will follow the requirement of Education Code Section 49406 in requiring tuberculosis testing of all employees.

d. **Immunizations**

The Charter School will adhere to all law related to legally required immunizations for entering students pursuant to Health and Safety Code Section 120325-120375, and Title 17, California Code of Regulations Section 6000-6075.

e. **Medication in School**

The Charter School will adhere to Education Code Section 49423 regarding administration of medication in school.

f. **Vision/Hearing/Scoliosis**

The Charter School shall adhere to Education Code Section 49450 et. seq. as applicable to the grade levels served by the Charter School.

g. **Emergency Preparedness**

The Charter School shall adhere to an Emergency Preparedness Handbook drafted specifically to the needs of the school site. This handbook shall include but not be limited to the following responses: OSHA policy compliance, fire, flood, earthquake, terrorist threats, and hostage situations and has been included within this document as "**Appendix E, Health and Safety Policy Handbook.**" This handbook shall include an evacuation plan, and general school safety, injury and illness prevention.

h. **Bloodborne Pathogens**

The Charter School shall meet state and federal standards for dealing with bloodborne pathogens and other potentially infectious materials in the workplace. The Board shall establish a written "Exposure Control Plan" designed to protect employees from possible infection due to contact with bloodborne viruses, including human immunodeficiency virus (HIV) and hepatitis B virus (HBV).

Whenever exposed to blood or other body fluids through injury or accident, students and staff should follow the latest medical protocol for disinfecting procedures.

i. **Drug Free/Smoke Free Environment**

The Charter School shall maintain a drug and alcohol and smoke free environment.

j. Facility Safety

The Charter School shall comply with Education Code Section 47610 by either utilizing facilities that are compliant with the Field Act or facilities that are compliant with the State Building Code. The School agrees to test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times. The School shall conduct fire drills monthly and in conjunction with the District (if at District facilities).

k. Comprehensive Sexual Harassment Policies and Procedures

The Charter School is committed to providing a school that is free from sexual harassment, as well as any harassment based upon such factors as race, religion, creed, color, national origin, ancestry, age, medical condition, marital status, sexual orientation, or disability. The Charter School has developed a comprehensive policy to prevent and immediately remediate any concerns about sexual discrimination or harassment at the Charter School (including employee to employee, employee to student, and student to employee misconduct). Misconduct of this nature is very serious and will be addressed in accordance with the Charter School sexual harassment policy, a draft of which is included within "**Appendix E, Health and Safety Policy Handbook.**"

l. Procedures

The Charter School shall adopt procedures to implement the policy statements listed above prior to operation."

II. DISPUTE RESOLUTION

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

Nothing within the following dispute resolution process is intended to impede the District's ability to proceed with any revocation proceedings in accordance with education code section 47607.

A. Disputes Between the District and the School not associated with those associated with revocation as stated within E.C. 47607

The Maria Montessori Charter Academy and the Rocklin Unified School District will always attempt to resolve any disputes between them amicably and reasonably without resorting to formal procedures. Both shall refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process unless legally required to do otherwise.

In the event of a dispute between M.M.C.A. and R.U.S.D., the staff and Charter School Board members of the Charter School and District agree to first frame the issue in written format and refer the issue to the Superintendent and Principal of the Charter School.

The Principal and Superintendent shall informally meet and confer in a timely fashion to attempt to solve the dispute, not later than 5 business days from receipt of the statement. In the event this informal meeting fails to resolve the dispute, both parties shall identify two additional parties from their respective organizations who shall jointly meet with the Superintendent and Principal of the Charter School and attempt to resolve the dispute within 15 business days from the dispute statement. If this joint meeting fails to resolve the dispute, the Superintendent and Principal shall agree to jointly identify a neutral third party mediator to engage the Parties in a mediation session designed to facilitate resolution of the dispute. The format of the mediation session shall be developed jointly by the Superintendent and Principal. Mediation shall be held as soon as reasonably possible, but no later than 60 days from the beginning of the search for the mediator. The costs of mediation shall be split between the District and the Charter School. All sentences in this section may be revised if mutually agreed upon by the District and the Charter School.

Internal Disputes

Disputes involving the Charter School shall be resolved by the Charter School according to the Charter School's own internal policies. The District shall not be involved with internal disputes of the Charter School unless:

- a. the Charter School requests District involvement;
- b. it is legally required; or
- c. the internal dispute relates to one of the reasons under Education Code Section 47607 for which a charter may be revoked.

III. STUDENT ADMISSIONS, ATTENDANCE, AND SUSPENSION/EXPULSION POLICIES

A. STUDENT ADMISSIONS POLICIES AND PROCEDURES

Governing Law: Admission Requirements, if applicable. -- Education Code Section 47605(b)(5)(H)

The Charter School shall admit all pupils who wish to attend the School up to capacity. No test or assessment shall be administered to students prior to acceptance and enrollment into the school. The Charter School shall not charge tuition.

The application process is comprised of the following:

- Parent/guardian attendance at either a school orientation meeting or a tour with the Executive Director
- Completion of a student enrollment form
- Parent signature of School Contract
- Proof of Immunization
- Home Language Survey
- Completion of Emergency Medical Information Form
- Proof of minimum age requirements, e.g. birth certificate

Applications will be accepted during a publicly advertised open enrollment period each Spring and enrollment in the following school year. Following the open enrollment period each year applications shall be counted to determine whether any grade level has received more applications than availability. In this event that this happens, the Charter School will hold a public random drawing to determine enrollment for the impacted grade level, with the exception of existing students (this would include students enrolled in M.M.C.A., approved as authorized by the Rocklin Unified School District) who are guaranteed enrollment in the following school year.

Enrollment preferences in the case of a public random drawing shall be allowed in the following priority:

1. Siblings of currently enrolled students
2. Rocklin Unified School District residents
3. Children of MMCA staff

At the conclusion of the public random drawing, all students who were not granted admission up to capacity shall be given the option to put their name on a wait list according to their draw in the lottery. This wait list will allow students the option of enrollment in the case of an opening during the school year.

In no circumstance will a wait list carry over to the following school year.

B. NON-DISCRIMINATION

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

Pupils will be considered for admissions without regard to race, ethnicity, national origin, gender, or disability. The M.M.C.A. is committed to achieving a student population who's demographics mimic that of the Rocklin Unified School District. The school will promote itself in a variety of venues across counties to help ensure the broadest possible pools for the annual lottery. M.M.C.A. has an established history of being one of the more ethnically diverse schools in the Rocklin region. According to the Department of Education, for the past two years M.M.C.A.'s "Ethnic Diversity Index" has averaged 26; the Rocklin Unified School District's "E.D.I." has averaged 20. The larger the "E.D.I.", the greater ethnic diversity represented at the school.

C. PUBLIC SCHOOL ATTENDANCE ALTERNATIVES

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

Students who reside within the District who choose not to attend the charter school may attend school within their school of residence according to District policy or at another school district or school within the District through the District's intra and inter-district policies. Parents and guardians of each student enrolled in the charter school will be informed on admissions forms that the students have no right to admission in a particular school of any local education agency as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the local education agency."

D. SUSPENSION AND EXPULSION PROCEDURES

Governing Law: The procedures by which pupils can be suspended or expelled. -- California Education Code Section 47605 (b)(5)(J)

The Charter School shall provide due process to all students prior to acting to suspend or expel in accordance with an adopted Pupil Suspension and Expulsion Policy. The M.M.C.A. Discipline Policy is attached as Appendix D. The Suspension / Expulsion Procedures are as follows:

Expulsion: MMCA's expulsion guidelines will follow what's required in Education Code 48900. Due process will be afforded all students as dictated by Education Code 48019. The M.M.C.A. will comply with all relevant education code statutes, particularly those that involve due process, for any student who enrolled in special education prior to initiating any suspension / expulsion procedures.

Behaviors that may require immediate suspension or possible expulsion hearings are as follows:

1. Swearing or using abusive sarcasm, directed at another student, staff member, or parent;
2. Intentional abuse and/or vandalism to school property;
3. Bringing on campus any pornography, or explicit photography or written material;

4. Physical harm to another person with the intent to do bodily injury, exhibited by, but not limited to, hitting, stabbing, poking, pushing, slapping, kicking;
5. Bringing on campus any illegal substances or prescription medications for unauthorized use, sale or intent to disburse;
6. Stealing;
7. Touching another person's private body parts or intentionally exposing one's self for the sole purpose of self-gratification or harming (emotionally or physically) another individual; and
8. Bringing guns, knives or any type of weapon used to intimidate or threaten another person

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well being of all students at the 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 the Charter School's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements.

School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be distributed and will clearly describe discipline expectations.

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.

The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that these Policy and Administrative Procedures are available on request at the Director/Principal's office.

Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion.

2. Financial Planning, Reporting and Accountability

Law: The petitioner or petitioners shall also be required to provide financial statements that include a proposed first year operational budget, including startup costs, and cash flow and financial projections for the first three years of operation. -- Education Code Section 47605(g)

A. BUDGETS AND CASH FLOW

Attached as Appendix I, please find the following documents:

- A 4.5 year summary (ending with the 1st interim report of 2007-2008 school year) of the Statements of Revenues, Expenditures and changes in Fund Balances of the Maria Montessori Charter Academy, prepared by FCMAT for the Nevada County Superintendent of Schools;
- Current year (2007-2008) Budget Report (as of 2nd Interim) with narrative;
- Projected operational financial budgets for three years with narratives, beginning with the 2008-2009 school year;
- Estimated cash flow statements for three years, beginning with the 2008-2009 school year.

These documents are based upon the best data available to the Maria Montessori Charter Academy at this time.

3. FINANCIAL REPORTING

The Charter School shall provide reports to the District as follows, and may provide additional fiscal reports as requested by the District:

1. By July 1, a preliminary budget for the current fiscal year.
2. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of the Charter School's annual, independent financial audit report for the preceding fiscal year shall be delivered to the District, State Controller, State Department of Education and County Superintendent of Schools. Please note: this audit requirement will begin December 15, 2009. For the 2007-2008 school year, as a dependent charter school of the Twin Ridges School District, MMCA's financial statements will be audited as a part of Twin Ridges' annual audit.
3. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
4. By September 15, a final unaudited report for the full prior year. The report submitted to the District shall include an annual statement of all the Charter School's receipts and expenditures for the preceding fiscal year.

INSURANCE

The Charter School shall acquire and finance general liability, workers compensation, and other necessary insurance of the types and in the amounts required for an enterprise of similar purpose

circumstance. The District Board of Education shall be named as an additional insured on all policies of the Charter School.

Prior to opening, the Charter School shall provide evidence of the above insurance coverage to the District.

D. ADMINISTRATIVE SERVICES

Governing Law: The manner in which administrative services of the School are to be provided. -- Education Code Section 47605(g)

The Maria Montessori Charter Academy has chosen to contract with Larry Pastore for Administrative Services support to the school. A copy of the contract with Larry Pastore, which details the services to be provided, will eventually be available as "**Appendix M, Administrative Services Agreement.**"

E. FACILITIES

Governing Law: The facilities to be utilized by the school. The description of facilities to be used by the charter school shall specify where the school intends to locate. -- Education Code Section 47605.6(b)(5)(D)

The Maria Montessori Charter Academy will operate at its new facility, located on 1850 Wildcat Blvd. in Rocklin, CA.

F. INDEPENDENT FISCAL AUDIT

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

The Maria Montessori Charter Academy will facilitate an annual independent audit of the school's financial affairs. The M.M.C.A. Board will select and oversee an auditor with education audit experience.

The audit will verify the accuracy of the Charter School's financial statements, attendance and enrollment accounting practices and review the school's internal controls. The audit will be conducted in accordance with generally accepted accounting principles applicable to the Charter school and in accordance with the State Controller's K-12 audit guide as applicable to charter schools. It is anticipated that the annual audit will be completed four months after the close of the fiscal year and that a copy of the auditor's findings will be forwarded to the District, the County Superintendent of Schools, the State Controller and to the CDE by December 15th each year. The Charter School's Principal along with an audit committee will review any audit exceptions or deficiencies and report to the Charter School Board with recommendations on how to resolve them. The Charter School Board will submit a report to the District describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the District."

CLOSURE PROTOCOL OF THE MARIA MONTESSORI CHARTER ACADEMY

Governing Law: A description of the procedures to be used if the charter school closes. -- Education Code Section 47605(b)(5)(p)

The following procedures shall apply in the event the Maria Montessori Charter Academy closes. The nonprofit public benefit corporation will follow the procedures set forth in the California Corporations Code for the dissolution of a nonprofit public benefit corporation and file all necessary filings with the appropriate state and federal agencies. The following procedures apply regardless of the reason for closure.

Closure of the Academy will be documented by official action of the Governing Board of M.M.C.A.. The action will identify the reason for closure. The District and the Academy shall utilize its best efforts to avoid a mid-year closure of the Academy.

The Academy Governing Board will promptly notify the District of the closure and of the effective date of the closure.

The Academy Governing Board will ensure timely notification to the parents and students of the Academy of the closure and to provide information to assist parents and students in locating suitable alternative programs. This notice will be provided promptly following the Governing Board's decision to close the Academy.

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

As soon as reasonably practical, the Academy will prepare final financial records as required by the Education Code and this charter. The nonprofit corporation will also have an independent audit completed as soon as reasonably practical, which should occur no more than six months after closure, and will include an accounting of all the Academy assets, including cash and accounts receivable and an inventory of property, equipment and supplies as well as an accounting of the Academy's liabilities. The Academy will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by the Governing Board of the Academy and will be provided to the District promptly upon its completion.

At the closure of the Academy, the physical buildings will revert back to the RUSD in accordance with education code, education code, applicable laws and the facilities agreements previously entered into by the two parties. Should the school district elect to take ownership of the facility, the furniture and equipment that was originally purchased by the parties shall be divided on an equitable basis. All liabilities and assets of the Academy, including but not limited to all leaseholds, personal property, intellectual

Property and all ADA apportionments and other revenues generated by students attending the Academy, remain the sole property of the nonprofit corporation that is operating the Academy. The nonprofit corporation shall develop a plan for the repayment of any liabilities and the disbursement of the assets of the Academy. Net assets shall be distributed in accordance with the Articles of Incorporation upon the dissolution of the nonprofit public benefit corporation. Upon closure of the Academy, the nonprofit public benefit corporation shall remain solely responsible for all assets and liabilities arising from the operation of the Academy.

IMPACT ON THE DISTRICT

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

Pursuant to Education Code Section 47604(c), the Rocklin Unified School District in performing its oversight of the Maria Montessori Charter Academy, as required by Education Code Section 47604.32, shall not be liable for the debts and obligations of the School or for claims arising from the performance of acts, errors, or omissions by the charter school.

I. Charter Term, "NCLB", and charter Severability

A. Term of the Charter

The term of the charter shall be five years as required by Education Code Section §47607.

By approving this charter, the Rocklin Unified School District will be fulfilling the intent of the Charter Schools Act of 1992 to improve pupil learning; increase learning opportunities for all pupils with special emphasis on expanded learning opportunities for all pupils who are identified as academically low achieving; create new professional opportunities for teachers; and provide parents and pupils with expanded choices in education and following the directive of law to encourage the creation of Charter Schools. The Petitioners are eager to work independently, yet cooperatively with the District to set the highest standard for what a charter school should and can be. To this end, the Petitioners pledge to work cooperatively with the District to answer any concerns over this document and to present the District with the strongest possible proposal for approval of a charter to begin operation on **JULY 1, 2008**. The Charter School shall be considered approved as of the date of charter approval. The term of the charter shall expire on **JUNE 30, 2013**. Renewal of the charter shall be governed by the standards and criteria in Education Code Section 47605 and Education 47607, as applicable.

B. No Child Left Behind

Maria Montessori Charter Academy will comply with the requirements of the No Child Left Behind Act, to the degree they are applicable to charter schools.

C. Severability

If any provision or any part of this agreement is for any reason held to be invalid and/or unenforceable, or contrary to public policy, law, or statute and/or ordinance, the remainder of this agreement shall not be affected thereby and shall remain valid and fully enforceable.