

*Charter for the Establishment of the
River Montessori Charter School:
A California Public Charter School*

Submitted: August 2008 to Old Adobe Union School District

Appealed: February 13, 2009 to the State Board of Education

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AFFIRMATIONS/ASSURANCES

As the authorized representatives of the applicant, we, Kelly Griffith Mannion and Cindy Lohrentz, hereby certify that the information submitted in this application for a charter for the River Montessori Charter School to be authorized by the State Board of Education (“Authorizer” or “SBE”) on appeal, and to be located, if possible, within the boundaries of the Old Adobe Union School District (the “District”) is true to the best of our knowledge and belief; We also certify that this application does not constitute the conversion of a private school to the status of a public charter school; and further, we understand that if awarded a charter, the School:

- Will meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605, and any other state-wide standards authorized in state statutes, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605.6(d)(1)]
- Will be deemed the exclusive public school employer of the employees of the Charter School for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605.6(b)(5)(M)]
- Will be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605.6(e)(1)]
- Will not charge tuition or charge for anything incidental to instruction such as field trips, materials and supplies. [Ref. Education Code Section 47605.6(e)(1)]
- Will admit all students who wish to attend the School, and who submit a timely application, unless the School receives a greater number of applications than there are spaces for students, in which case admission will be determined as specified herein. Admission to the charter school shall not be determined based upon the residence of the pupil or his or her parents, except as authorized by law. [Ref. Education Code Section 47605.6(e)(2)(B)]
- Will not discriminate against any pupil on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605.6(e)(1)]
- Will adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1974, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities in Education Act.
- Will meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)]

- Will ensure that teachers in the School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. As allowed by statute, flexibility will be given to non-core, non-college preparatory teachers. [Ref. California Education Code Section 47605.6(l)]
- Will at all times maintain all necessary and appropriate insurance coverage.
- Will notify the superintendent of the school district of the pupil's last known address within 30 days if a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or a report card, and health information.
- Will not operate satellite schools, campuses, sites, resource centers, or meeting spaces not identified in the charter without the prior written approval of the Executive Director of the State Board of Education (“SBE”), based primarily on the advice of the Charter Schools Division staff.
- Will follow any and all other federal, state, and local laws and regulations that apply to the Charter School including but not limited to:
 - River Montessori Charter School shall maintain accurate and current written records that document all pupil attendance and make these records available for audit and inspection.
 - River Montessori Charter School shall on a regular basis consult with its parents and teachers regarding the Charter School's education programs.
 - River Montessori Charter School shall comply with any jurisdictional limitations to locations of its facilities.
 - River Montessori Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment.
 - River Montessori Charter School shall comply with all applicable portions of the No Child Left Behind Act.
 - River Montessori Charter School shall comply with the Public Records Act.
 - River Montessori Charter School shall comply with the Family Educational Rights and Privacy Act.

 Kelly Griffith Mannion Date

 Cindy Lohrentz Date

I. Introduction and Founding Group

A. Introduction

River Montessori Charter School (RMCS) educates students in California from first through sixth grade. RMCS is committed to the development of each student's full human potential in a learning environment based on Montessori pedagogy.

RMCS is a small school of 100 students which will start with a year round calendar in July of 2009. We will open with five mixed-level classrooms, grades 1 through 4. We will add 5th grade in year two and 6th grade in year three, with the goal of 190 students by the fifth year. We attempt to maintain a 20:1 student to teacher ratio or less and will comply with all California laws regarding public schools.

B. Founding Group

In June 2007, a group of parents and Montessori educators came together to discuss an increasing need for Montessori Elementary education in the Petaluma area. Parents of preschoolers and kindergartners affirmed the positive benefits their children had experienced from the Montessori environment and were eager to work towards an elementary continuation of this model of education, which fosters self-paced learning in a prepared, mixed level classroom. The parents desire to create this model as a public school option not only for their own children but also for all interested families, especially those who do not have the means to consider a private Montessori education option.

The founders of River Montessori Charter School, (Appendix A – Founding Families), bring together the combined experience of education, legal, business, and non-profit administrators, and community advocates. Many of our founding families share the history of having successfully started Red Barn Montessori, which is a Primary Montessori that originally began as a parent co-op and is now a licensed preschool and Kindergarten in Petaluma. This experience of working together and seeing an educational project through to fruition provides security to the success of River Montessori Charter School. The common denominator, however, is the belief that all children deserve the opportunity to excel academically within a Montessori learning culture.

All of us working on River Montessori Charter School are seeking a mutually beneficial relationship with our Authorizer, one in which respect for our philosophical strengths and differences is balanced with tangible benefits for all involved. Many consultants have made their experience and expertise available to the founders of RMCS. (Appendix B - Consultants) We incorporated as a non-profit educational corporation (Appendix C- Articles of Incorporation) on November 13, 2007, and created bylaws (Appendix D- River ByLaws). We have been working towards our dream of a public Montessori Charter School available to all children ever since. A list of signatures of parent petitioners is attached as Appendix E.

C. Mission Statement

Our mission at River Montessori Charter School is to provide students with a learning culture, which is grounded in Montessori Philosophy. This historically proven educational model supports the whole child, creates lifelong learners, and educates for peace. The resulting academic excellence is supported by a prepared classroom environment that inspires self-paced, individualized discovery; a love of learning; and respect for self, others, and the environment.

D. Vision Statement

Our vision at River Montessori Charter School is a Montessori learning community where children are inspired to realize their academic, personal, and social potential to become global citizens.

E. Core Values

Collaboration: Working together, respect for others, and a global perspective enlighten students, teachers, families, and the larger community.

Academic Excellence: A prepared and rigorous Montessori academic environment allows children to be challenged at their own developmental level and experience the freedom to progress at their individual pace.

Individuality: The potential of the individual is unlimited and our diversity is our strength.

Community: The shared experience fosters lifelong commitment to social responsibility.

Respect: An uncompromising responsibility for self, others, and the environment.

Peace: The all-encompassing goal—inner contentment, self-actualization, and global harmony.

II. Educational 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. Educational Summary and Goals

1. “Whom the School is attempting to educate”

RMCS is targeting a diverse population of students in 1st through 6th Grade in California who have an interest in attending a school with a rigorous, self-paced, academic framework that meets California state standards and is based on the Montessori pedagogy.

River Montessori Charter School is particularly interested in attracting students who hold the following characteristics:

- a. The interest and motivation to be educated in the Montessori approach
- b. The ability and capability to work independently
- c. The propensity to be self-motivated in learning and achievement.

2. What it means to be an “Educated Person in the 21st Century”

The school believes that an educated person in the 21st Century is a person who is self-actualized with an individually developed balance of cognitive, social, emotional, physical, and spiritual strengths. The educated person of the 21st Century uses a variety of means to acquire knowledge to solve problems in a socially responsible fashion for the good of society.

Faced with what may appear to be insurmountable challenges, including those of a global nature, the educated person is prepared by a strong academic base to approach problems with an attitude of collaboration, openness, and confidence. He or she should be able to identify problems, be self-motivated to evaluate them, and then become a catalyst for change because of the ability to think creatively.

The school believes that an educated person in the 21st Century possesses the personal and language skills needed to respectfully communicate across cultures and generations. As a life-long learner, he or she is continuously pursuing individual passion and growth while exploring diplomatic answers to world problems that impact individuals, cultures, and the natural world.

The educated person in the 21st Century is a person who competently balances work, leisure, family, and community. He or she seeks peace, appreciates the arts, is proficient in English as well as at least one other language, is prepared to productively

participate in our economy, is self-motivated to set and achieve goals, and finds something of value in every human being.

3. “How Learning Best Occurs”

The Montessori Method is an historically proven model of education that has consistently demonstrated its merit. With its conception and early success in serving children with special needs, it has since flourished worldwide as a means to meet the needs of all children. Student learning best occurs when children are successfully connected to the materials and curriculum. Through repetition and exploration, various concepts and ideas are explored. Montessori materials are self-checking and placed in a sequential order where the students can manage and track their own progress. This design of the materials promotes self-confidence and independence, as well as academic success. Tapping into prior knowledge, learning is enriched by the repeated use of materials with which students are already familiar, and reinforced by using these materials at higher levels, eventually working toward abstraction.

Learning is also accentuated by teachers using an holistic curriculum. Teachers blend learning modalities (e.g. kinesthetic, visual, and auditory) as children learn about geography, history, science, and culture. Teachers present ideas and then encourage that they be shared, discussed, and evaluated. Children eventually engage in research and other high level thinking activities.

Appealing to the whole child, emphasis is placed on creating aesthetically beautiful classroom environments where students feel safe and secure and invited to develop themselves in all facets of their persona and growth. The Montessori method also stresses the importance of building trust and confidence that helps connect our students to the materials and curriculum. When students are offered a safe and stimulating environment where they can be challenged and successful, they are able to reach their full potential.

RMCS believes that learning best occurs 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 play an intrinsic part 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;
- Teachers, family, mentors, and advocates support the students;
- Students are encouraged to help others learn and to learn from others, which leads to an improvement of communication skills and positive social behavior.

RMCS believes that this learning occurs in a Montessori Classroom, which encourages self-motivation and self-direction. Dr. Montessori's methods are based on her scientific studies of how learning best occurs. She found the following to be important aspects of positive learning:

- 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 likely to impact the individual
- Individual Learning Plans
- Low student-to-teacher ratios.

Montessori Methodology emphasizes respect for the individual child, and his or her pace, rather than the prioritization of specified curriculum or method of instruction. Maria Montessori stated, "Education is not something which a teacher does, but... it is a natural process which develops spontaneously in the human being." Our goal, then, is to provide the child with the appropriate ability-level material and personnel resources (teacher/facilitator) to promote his/her personal achievement. It is our belief that the cultivation of each child's innate desire to learn is of primary importance. Accordingly, our pedagogical strategies embrace the concept of the child's ownership of his or her education, through the presentation of choice of activities. We also support the child's fulfillment of his/her sense of discovery, as well as his/her expanded exploration of topics of interest. Ultimately, in recognizing Maria Montessori's belief that "the most favorable time for a child to learn is when she wants to do it herself," we are promoting the child's sense of independence, resulting from his or her sense of self-sufficiency and achievement.

RMCS is committed to the goal of developing "***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.

4. Educational Goals and Objectives

Consistent with our Mission and Vision Statements and State, District, and County objectives, and to meet our obligation of enabling students to become self-motivated, competent, and lifelong learners, the five major goals of River Montessori Charter School are:

- Promote Academic Excellence
- Develop Attributes of Successful Learners
- Create Strong Parent Involvement and Satisfaction
- Become a Model Learning Community
- Sponsor Staff Development

a. Promote Academic Excellence

Today's pace of change has put schools under terrific pressure to reevaluate what should be taught; It is difficult to predict the skills that our children will need when they reach maturity. In the past, the most efficient education consisted of lecture, drill, and memorization. In an era of rapid technological revolution and social change, the foundation of a good education is to learn how to learn.

Montessori education is first and foremost concerned with a child's whole development and character. The method inspires children toward academic excellence by nurturing the curiosity, creativity, and imagination hidden within every human being. The habit of academic excellence stems from a strong sense of self-confidence, a joyful approach to life, and pride in one's accomplishments. When held as a basic value, a passion for excellence leads children to develop to their full potential.

We believe that the vast majority of people have the intelligence and natural ability required to learn everything they need to lead full, happy, and productive lives. The Montessori method helps individuals develop a strong work ethic, self-discipline, and high personal motivation, which are needed for this success.

b. Develop Attributes of Successful Learners

RMCS provides an environment in which students develop deeply held values of independence, responsibility, self-respect, respect for others, and compassion; this results in a strong sense of self-confidence. Character development is integrated throughout the curriculum.

Children of different ages are brought together so the classroom becomes similar to an extended family in which children live and work cooperatively. In this "mini-society" children help establish the ground rules for behavior, get practice in self-government and thus become responsible for their own behavior. The aim is for children to learn to respect the rights of others, feel responsibility toward others, and gain respect for their own individuality.

To facilitate the development of independence and a sense of engagement with the community, RMCS strongly encourages participation in day-to-day classroom management, care of the environment, and decision making. We seek to help each student see the value of commitment both to our own community and to the community of humanity. Children contribute to the betterment of the world through various activities.

In addition to State of California published standards, RMCS focuses on developing several attributes (listed below) of successful learners and character traits in our students. Nancy Rambusch and John Stoops identify these traits in "The Authentic American Montessori School", (American Montessori Society, 1992).

All of the attributes listed below will be monitored and conveyed through Individual Learning Plans (ILPs) [see section D.3 for full description] and biannual conferences.

1) Cognitive Understanding and Thinking Skills

- Students demonstrate an awareness of order and sequence.
- Students demonstrate the development of observation, questioning, and critical thinking skills.
- Students evidence a variety of complex thinking processes to help resolve complex issues.
- Students are able to access, evaluate, and integrate information from a variety of resources.
- Students are able to reflect upon their learning and to transfer learning to new situations. In Montessori education the students are to think for themselves, not merely learn what other people have thought.
- Students demonstrate the ability to effectively use technology.

2) Confidence and Competence

- Students are capable of correcting their own work upon observation, reflection, discussion, or completion of additional lessons.
- Students manage the available array of information with a clear sense of purpose.
- Students demonstrate the development of concentration, patience, and persistence.

3) Independence

- Students are able to choose their own work, apply energy to that work, complete it to agreed-upon criterion, and return material used to the place it is customarily kept in such a way that another child will be able to find and use it.
- Students participate in designing their own Individual Learning Plans.
- Students are able to locate resources to continue the self-chosen task, or are able to solicit help if necessary.

4) Autonomy

- Students are able to accept or reject inclusion in another child's work or group with equanimity.

5) Intrinsic Motivation

- Students are drawn to continue working for the apparent pleasure of so doing.
- Students, once having achieved competence, are able to move on to revel in mastery by showing others.

6) Ability to Handle External Authority

- Students are able to accept the "ground rules" of the group and abide by them.
- Students, when distant from the teacher, are able to function as if the teacher were nearby.

7) Social Responsibility

- Independent and autonomous persons are also always a part of a group and must realize independence and autonomy through participation in group activity.
- Students are able to collaborate and work effectively with others in cooperative groups.
- Students are respectful of others.

8) Stewardship, Good Citizenship

- All children are part of both a world political reality and a world ecological system. Both systems have their constitutions and the citizen must learn to live within the spirit of the laws of man and nature.
- Students demonstrate citizenship by planning and implementing a project in service to the school and/or the greater community.
- Students demonstrate an understanding of the natural world, and their interconnectedness to it.

9) Positive Self-Image

- Students are able to express feelings in a healthy manner.
- Students demonstrate the ability to solve conflicts effectively and fairly using skills of active listening and negotiation.
- Students demonstrate knowledge of pertinent issues of personal health.

c. Parent Participation and Satisfaction

Achieving high academic outcomes, teaching values, and developing character cannot be accomplished without the close partnership of parents/guardians and families. For example, the role of the parent/guardian is paramount in developing civic values and ethical behavior in their children. Consequently, we believe that children learn more when their families and schools work closely together.

RMCS encourages parents to be an integral part of their child's education by learning about the Montessori philosophy, observing the classrooms, and volunteering in the school. Families are expected to make a commitment of time and energy to support the school, thus taking advantage of their skills and talents. There are many different ways in which parents and families can

participate: helping in the classroom, organizing and chaperoning field trips, serving on the Governing Board or school committees, organizing and directing after-school enrichment activities, and providing clerical assistance to the teachers and other staff of the school.

RMCS expects parents to fulfill 40 hours of volunteer service to the school each academic year. Parents with more than one child attending the school are expected to contribute an additional 20 hours of volunteer time for each additional child in attendance. However, no student will be removed from the program if the parent(s) fail to meet the target for volunteering. Policies address parent participation (Appendix F -Parent Involvement Pledge). A formal program of choice and options in volunteering and participation is included in our registration packet and parent handbook.

In addition to the active participation of families in RMCS, a secondary emphasis of the program is to provide parenting classes and support groups to help parents recognize the uniqueness of their child(ren) and to enhance their ability to parent and be their child's primary teacher. Parent education opportunities also enable parents to learn more about the Montessori philosophy and the classroom environments.

RMCS's Board of Directors and Director/Principal will regularly consult with both parents and teachers regarding the school's educational programs. Methods of communication include, but are not limited to, annual surveys, parent-teacher conferences, and weekly staff meetings.

Parents are continuously involved in the planning, program design, and implementation of the charter school. There will be opportunities for community members and parents to participate on the governing board of the school. Parents will be assisted in the organization of a *Parent-Teacher-Student Partnership Group*, which will fulfill the following functions:

- Coordination of volunteers and parent led activities
- Communication between students, parents, and school faculty/administration
- Scheduling of parent education
- Addressing the needs of the students and classrooms.

d. Become a Model Learning Community

Through the establishment of a highly functioning and creative Board of Directors, River Montessori Charter School serves as a model Montessori site for future teachers, educators, and policy makers. A top-quality educational staff comprised of Administrator/Head of School, California Credentialed and Montessori Credentialed teachers, and assistants are recruited and given the support they need to deliver quality learning experiences to students.

A fully diverse population of students is recruited: students at risk, students with special needs, gifted students, and students with diverse social

backgrounds and learning styles. RMCS students are provided with a calm, warm, and nurturing environment where a sense of community, powerful friendships, and cooperative rather than competitive relationships are fostered.

River Montessori Charter School believes in forging a strong link with the community through the involvement of its Board of Directors, parents, and community volunteers in all aspects of the educational process. In addition, meaningful relationships are developed with local, state, and national agencies, and organizations that work to strengthen charter school programs and educational outcomes for students.

e. Sponsor Staff Development

Our educational paradigm of school as a learning community views all members of the school engaged in a vibrant process of exploration, discovery, and understanding. We realize that our educators play a pivotal role in modeling their natural curiosity and love of learning to our students and we know that through professional development, educators increase their knowledge base, sharpen their skills, and re-energize. This goal reflects our belief that our teachers play a critical role in the educational process and we want to promote their expertise and renewal.

B. Curriculum and Instructional Design: The Montessori Philosophy

RMCS utilizes a comprehensive Montessori curriculum fully aligned with California State Standards (*Appendix G- An Alignment: Montessori Competencies and California State Standards*), which sets us apart from private Montessori programs. Please see Appendix H for a complete scope and sequence of the academic program, which incorporates the California State Content Standards and Frameworks. Before describing our curriculum, it is helpful to provide an overview of our academic philosophy.

1. The Montessori Approach to Education

Maria Montessori was a doctor, research scientist, and educator during the late 1800's – early 1900's who made observations about how children learn. The Montessori Philosophy of Education is based on Dr. Maria Montessori's observation that children have a natural desire to learn and that stages of development exist for which there should be corresponding educational environments and trained adults who prepare these environments. Children can learn independently in a prepared environment with teachers who guide and serve as the links between the student and the educational environment of academic materials and lessons. By providing freedom of choice, this enriched learning environment cultivates individuals who learn to make independent decisions and to solve problems creatively. They learn to develop healthy social relationships, to develop skills in concentration, and to master basic academic and life skills. At RMCS students are challenged to create, explore, and imagine.

The Montessori philosophy was originally developed to enhance a child's opportunities for learning, relevant to the student's relationship to the world. Over the years, the

philosophy has evolved to challenge the whole child's personality and intellect in a variety of multicultural settings.

Dr. Montessori used her scientific observations of children to design functional learning environments created to support and enhance a child's innate desire to learn about the world around him. This teaching system is based on a strong integration of adult to child observation and practical hands-on activities. Classroom materials offer learning experiences in a clear, concrete manner. Students use motor and intellectual discovery when working with these materials, with an emphasis on the sequential and orderly acquisition of both motor and cognitive skills. This ordered work method also allows for individualization and usually offers a three-year age span within the classroom, enabling students to work and learn at their own pace, as well as in group settings. Montessori education is based on a three-year developmental and academic learning cycle.

The integration of varied age spans allows older students to gain confidence by working and role-modeling materials with younger students as well as reinforcing their own understanding of academic subjects. Collaborative learning and projects completed in groups encourage students to teach and learn with each other. This combination of order and freedom is facilitated by what is called "the prepared environment."

A well-prepared Montessori learning environment is given careful attention, allowing and encouraging the child accessibility to all materials she/he needs in performing and experiencing the step-by-step process of individual work. The classroom is thus arranged in a series of easily accessible shelves designed to accommodate specific work areas. This framework of organization gives accessibility to the necessary learning materials and frees the student to concentrate on the work, allowing an increase in independence and responsibility. This, in turn, decreases the need of direction from the teacher. As a result, children develop internal, rather than external, referencing. The teacher is also better able to observe the total classroom environment as well as the individual student. Each classroom at RMCS follows Montessori's concepts and is carefully designed to provide for the developmental needs of its students.

The Montessori classroom contains materials to support learning in the core subjects of language arts (reading and writing), mathematics, and geometry, while also providing materials in the areas of history, geography, and natural sciences (e.g. biology, astronomy, and chemistry). Each classroom contains materials that teach specific concepts for the particular age range. The materials are designed in a logical sequence of skill acquisition and concept building while reinforcing the development of abstract thinking. The learning materials initially isolate knowledge to one concept at a time in a concrete manipulative style. Eventually the child progresses toward an abstract, more divergent, level of evaluation and analysis, while also moving toward self-set goals.

The Montessori teacher acts as a facilitator of information and is always responsible for what is called "making the match." Through observation, the teacher assesses the needs and level of each student to guide him or her towards a path to meet individual interests, maturity levels, capabilities, educational needs, and academic success. As a result of these observations, teachers can make adjustments in individual learning plans, both academically and behaviorally. The student who is in a period of self-directed activity can be given much freedom regarding choice. All students can work at their own speed and must demonstrate mastery of material before progressing. Montessori Education

provides children with a lifetime gift – the opportunity to fully develop their innate intellectual, physical, social, and emotional potential.

2. Montessori: The Elementary Years

The following information is an overview of RMCS's philosophy for elementary, the second plane of development in Montessori pedagogy.

For the first six years of life (first plane of development), the child has absorbed the work around him or her visually, auditorially, kinesthetically, and tactually. Mastery of concrete experiences has taken place. In the second plane of development, children aged 6-12 begin an adventure of building abstractly on these early concrete experiences and receive the foundation of the Montessori curriculum by learning and practicing the cornerstone concepts of:

- Care of Self
- Care of Environment
- Care of Others
- Control of Movement
- Grace and Courtesy.

Teachers introduce these concepts in a new and exciting light through lessons in practical living, sensorial development, mathematics, language, the sciences, and cultural subjects.

At these ages, the student still needs to assimilate concepts using the Montessori materials. Thus, the classroom contains many appropriate materials. The elementary (aged 6-12) and middle school-aged child (aged 12-16) develop the ability to move from the concrete into the abstraction of a concept, due to the previous repeated exposures to concrete experiences.

Each developmental plane or age group (0-6, 6-12, 12-16) has certain characteristics that teachers consider in formulating a plan for each child's education. These varying characteristics are considered within four distinct aspects:

- Intellectual Development
- Social Development
- Emotional Development
- Moral Development.

a. Intellectual Development

Dr. Montessori identified two sensitive intellectual periods during the second and third planes: Imagination and the understanding of the abstract. Imagination enables us to imagine what exists or has existed but cannot be seen because of time and distance. Not only can imagination travel through infinite space but also through infinite time. So, the child aged 6 to 12 (2nd developmental plane), and then aged 12 to 16 (3rd developmental plane), uses a creative imagination based on reality to psychologically conquer the world.

Dr. Montessori believed that the period of life between the ages of 6 and 16 is when the elements of all science should be given. This time frame could be called the “sensitive period of culture.” In the early years of life, the child takes in his or her immediate environment. After the age of six, the child begins to take in the greater world surroundings.

The starting point is to introduce a vision of the world as a whole. Offering culture shows the intimate and interrelated relationship between all things—living nature and humankind. It also stresses the ability to understand the task of each element and each force, including our human society and each of us as individual members of society in assisting or hindering such tasks.

b. Social Development

In the elementary and middle school years, the group beyond the family, the peer group, now attracts the child. Children begin to form a society of their own peers and resist adult control as much as possible. The basic moral principle in operation during these periods requires a commitment from the individual: the commitment of the individual to the peer group.

c. Emotional Development

The child aged 6 to 16 is less gentle and less accommodating as idealism begins to emerge. Dr. Montessori explained this developmental change in terms of Nature’s logic, whose aim is to arouse in the child not only a hunger for knowledge and understanding but also a claim to mental independence, a desire to distinguish good and evil by one’s own power, and to resist limitation by arbitrary authority. In the classroom this is addressed by the affirming experience of being part of a group and learning to balance one’s own needs and responsibilities to self and others.

d. Moral Development

During this same time, a sensitive period of morality comes to the forefront. A concept of justice is born at this age (6-16), together with a growing understanding of the relationship between our acts and the needs of others. Children at these ages react strongly against anything they regard as unjust or unfair.

According to Dr. Montessori, nature has equipped the children of this age (6-16) with the qualities of loyalty, generosity, a sense of responsibility, a strong sense of justice, admiration for what is outstanding and progressive, and a distaste for trivialities. The children of this age want to become self-sufficient, prove their new independence, and help their neighbor.

One of Montessori’s basic principles is that the adult should understand the natural tendencies driving the child at each plane of development and cooperate with those tendencies rather than go against nature.

3. Vision of the Montessori Classroom Environment

In Montessori education, the total child must always be considered. Thus, it is in the best interest of the student that home and school environments are consistent.

a. Classroom environment and the needs of the child

For positive development of the child, the physical, mental, emotional, social, and academic needs of the child must constantly be taken into consideration:

- RMCS has chosen to implement the philosophy of Dr. Maria Montessori versus a traditional educational approach. Therefore, RMCS classrooms and school environment operate using the concepts and methodology of Montessori.
- RMCS believes that children need pro-active and positive affirmation regarding self-image and esteem.
- RMCS models and provides guidance in the area of behavior and attitudes and recognizes that each child has a unique personality, likes and dislikes, values, strengths and weaknesses. Uniqueness of the child will be honored while providing guidance and support.
- Each class establishes basic guidelines/rules within the first week of the school year. It is the expectation that these parameters are set with the understanding that everyone will respect and follow them. This provides the child with the ability to reason and think for her/himself, participate in the group responsibilities, and to experience agreed upon, natural consequences for his or her choices.
- RMCS encourages children to communicate in a respectful, assertive, and socially acceptable manner. We provide an atmosphere in which students feel safe to express their differing viewpoints. RCMS also provides guidance with conflict management, facilitation, and peace resolution.
- RMCS encourages and embraces all levels and styles of learning and intelligences to enhance the critical thinking skills of all students.
- RMCS conducts regular inventories to assist in making academic assessments. We conduct placement, pretests, and post-tests in language arts, mathematics, and geometry. In addition, we conduct reading assessments for reading readiness.
- At RMCS, personal responsibility and accountability is modeled, experienced, taught, and practiced. RMCS makes guidelines, limits, freedom of choice, and consequences understandable and applicable to the students.
- RMCS provides clear and timely communication to families in all areas of the educational program.

b. Homework Policy

The Montessori student often volunteers to continue research, do community service, and work on classroom related projects. Consequently, the Montessori student naturally develops good study skills, discipline, and responsibility. Continuing school-related projects at home also provides parents the opportunity to be involved in and stay current with their children's education. Homework, however, is not a part of a Montessori program. Nonetheless, if the student chooses, the teacher provides guidance for outside projects and activities based on the student's individual interests.

C. Basic Academic Areas of RMCS's Montessori Educational Program

Montessori education offers a wide variety of academic study for all students, in a way that interrelates each subject to the others, which in turn supports the development of a well rounded individual. One of the classic components of the Montessori approach is to provide uninterrupted periods of work time for the students, spanning two to three hours at a time, allowing them ample opportunity to work through various academic tasks each day. Breaking the academic day into two distinct parts provides these units of work time: Core academics (Language Arts, Math, and Geometry) and cultural subjects such as History, Geography, and Science. Practical Life lessons are practiced daily (care of self, care of environment, care of others, control of movement, grace and courtesy) and subjects traditionally referred to as cultural in nature (e.g. fine art, performing art, second languages) are interwoven throughout the educational program.

1. Core Academics

Reading and Language are essential for all areas of learning. Children begin learning phonetically through tactile materials, auditory repetition, and visual identification. Then they progress into reading and working independently through materials that give direction to their individualized program and to individual research. Reading and language are integral parts of all cultural lessons.

Writing is used in almost every academic experience. Printing and cursive are developed and students develop formal writing and composition skills.

Basic Math facts (counting, addition, multiplication, subtraction, and division) are stressed and serve as a solid prerequisite for accomplishing the more-advanced math that follows: fractions, long multiplication and division, powers of numbers, system of numeration, squaring, and cubing.

Geometry is studied as it assists in the development of a creative capacity in the child. It is the foundation toward the construction of reality. This progression flows naturally from experience with tactile and concrete materials and children find abstract concepts more easily assimilated after such a concrete foundation.

2. Cultural Subjects

Subjects such as History, Geography, and Science are referred to as Cultural Lessons and are studied as interrelated aspects of the same world.

History begins with the concept of time and evolves each year through a study of the Fundamental Needs of Humans, the Timeline of Life, and Stages in the Progress of Civilization. Geography continues with completed work in maps. Successive work includes a study of landforms and their classified nomenclature in conjunction with the study of the earth as our home. Geology continues this study of the earth and its historical relationships.

Science encompasses units of study in areas such as Biology, Astronomy, Physics, and Chemistry. Teachers present these topics in a way that allows the student to explore and observe the world around him/her. Biology is initially presented to younger students through dual studies divided between Botany and Zoology; the lessons begin with botanical and zoological classified nomenclature. These units of study continue with experiments on vital function of the plant kingdom and a comparative study of the vital functions of the different phyla and classes of the animal kingdom, progressing into a study of human functions and structure, and culminating in the later years with family life studies and sex education.

Through diversity of lessons, each student learns that each part of the universe – whether rock or sun or insect or coral or human – has a mission, a task, which is essential to the functioning of the whole.

3. Research and Projects

Within the Montessori Method, opportunities for study and projects on various levels of thinking are essential, especially in the elementary years. While students may be concerned with similar topics, they are given an independent choice in their methods of study and designs of projects. Critical and creative-thinking skills are an integral link to the Montessori philosophy and curriculum.

4. Physical Education/Health

Learning healthy habits and staying physically active is an important part of the curriculum at RMCS. RMCS meets the “Physical Education Model Content Standards for California Public Schools”.

5. Character Development and Peace Education

Montessori curriculum is developed to encourage and support students in the further development of the civic values and ethical behaviors that enable them to become responsible and caring citizens, family members, and workers within society. Character education is interwoven throughout the educational program and fosters qualities such as honesty, respect for self, others and property, morality (understanding what is right, legal, and ethical), responsibility, human dignity, empathy, justice, civility, courage, and concern for the common good. For example, RMCS encourages all students to participate in community service projects to learn the importance of giving back to their community.

RMCS believes in the dignity of all and that everyone, including students, families, and staff, should be treated with dignity and respect. We are striving for a great deal of diversity in the families we will serve, and we will work to ensure that everyone feels

welcome within our schools. Differences are celebrated. Maria Montessori was an advocate of Peace Education—that study and understanding of different cultures and societies would lead to acceptance and peace between nations. The breadth of the Montessori curriculum is designed to provide students with this exposure to a variety of cultures, societies, and beliefs, and to support students to be good citizens as well as progressive and compassionate thinkers and high-level communicators.

In accordance with this aim, RMCS will not tolerate behavior by students, families, staff, or visitors, which is insulting, degrading or stereotyping of any race, religion, gender, disability, physical characteristics, ethnic group, sexual preference, age, or nationality.

D. Montessori Academic Program Levels and Materials

1. Lower Elementary Program: First through Third Grade (ages 6 to 9)

RMCS believes in continuously increasing self-direction and independence of the Lower Elementary child. In achieving these goals, the students gain strong self-concepts and effective roles of direction in self-responsibility. To provide an appropriate learning environment for the child, RMCS encourages opportunities for reflective thinking, problem solving, and critical evaluation. Our environment provides opportunities for creative expression and encourages divergent thinking skills. We allow and encourage each child's personal rate of learning, and vary Montessori didactic apparatus and teaching strategies to accommodate the needs of each individual student.

The curriculum is specifically designed with the elementary child in mind. RMCS teaches the core subjects of Language Arts, Mathematics, and Geometry, and the Cultural Subjects (including but not limited to History, Geography, Zoology, and Botany), within the structure of Dr. Montessori's methodology. RMCS integrates the expectations of the California state academic standards for this age and developmental stage and aligns the Montessori curriculum with state standards across the board.

2. Upper Elementary Program: Fourth through Sixth Grade (ages 9 to 12)

The philosophy of Montessori Education is to encourage the student to classify, analyze, and evaluate information based on the introduction of any given academic subject matter from an impressionistic viewpoint. The goal for the student is to take information and apply it to real life experiences. These experiences then create opportunities for critical thinking and logical analysis.

The upper elementary curriculum continues to be specifically designed with the elementary child in mind. Core subjects of Language Arts, Mathematics, and Geometry are integrated throughout the Cultural Subjects, as they remain the base for further knowledge and deeper exploration. Technology and research, as well as an introduction into Biology with a unit on "Adult Life Skills Education" are included in the upper elementary student's school experience. The upper elementary expectations of the California state standards for this age and developmental group serve as a minimum standard, with the Montessori curriculum often surpassing these minimum standards and offering students personal challenge toward academic excellence.

3. Curriculum and Montessori Materials

Certified Montessori teachers will present core subjects using Montessori materials. Montessori materials have been shown to be an effective way of meeting California state standards. In addition, the materials are supplemented with books, experiences, technology and other instructional materials to support the child's individual learning style. Supplemental materials to be added to the Montessori classroom will be regularly reviewed by staff. Dialogue will continuously occur between teachers and administration based on observation and assessment of individual student progress.

RMCS offers a rigorous and innovative academic program. The core curriculum integrates studies of the physical universe, the world of nature, and the human experience. In contrast to the traditional model in which curriculum is compartmentalized into separate subjects with given topics considered only once at a given grade level, the main concepts are presented each year. Younger students work concretely when exploring new concepts. When revisited in subsequent years, older students are able to understand and investigate familiar ideas more abstractly and in greater detail.

The integrated curriculum includes materials and activities for the development of understanding and skills in mathematics, geometry, natural sciences, physical sciences, technology, language arts (including phonics, spelling, grammar, sentence analysis, creative and expository writing), literature, geography, history, civics, economics, anthropology, sociology, practical life, movement, physical education, music, visual arts, and crafts.

Montessori materials are concrete representations of lessons, which guide the student to understanding a concept. Each Montessori material and lesson is specifically designed with a purpose, prerequisites, direct and indirect aims, typical age ranges, procedure, language, control of error, points of interest, variations and extensions, subsequent lessons, and its place and importance in the entire curriculum. Teachers are trained in the selection, implementation, and outcomes of each material thus solidly serving the student in his or her education. Materials are organized, sequential, increasingly complex and abstract, and require comprehension and mastery before progressing to the next material. This allows the student to continue on a path of education that is uniquely individual, neither waiting for others to catch up, nor hindering others in their progress. It also provides constant placement of the student within the framework and assessment of individual student progress, as well as offering an immediate diagnostic capability should a student struggle with any material or concept.

Materials are supplemented by small and large group lessons designed to inspire the student and encourage his thoughtful application of mastered materials and concepts. Typically, students progress through group lessons with their yearly cohort, which incorporates a general pacing but allows for individual rates as necessary, similar to a traditional educational system whereby a student would be "pulled out" for specific assistance. In the Montessori Model, students find the specific support they need in working groups in the classroom, combined with the individualized attention of the trained teacher.

Of paramount importance are the Individual Learning Plans (ILPs), created at the beginning of each school year by the student in collaboration with the parent, and

teacher to determine a path of individual student success. The plans provide a process whereby strengths and weaknesses are identified, goals are formulated, and specific learning objectives are agreed upon. In this way, the order and manner of learning new material is adjusted to the needs of each child as much as possible. The student's progress toward fulfilling his or her ILP is the primary focus of subsequent conferences, progress reports, and student self-evaluations.

Each student in collaboration with the teacher also develops a Weekly Work Plan (WWP), setting forth the goals, expectations, and assignments for the week ahead. Weekly Work Plans address core subjects of language, mathematics, and science as well as, other areas of personal development. Whenever possible or appropriate, WWPs offer students the opportunity to propose an alternative assignment that would lead to the fundamental objective, but which would be more interesting to the student. Teachers review the WWP of each student on a weekly basis throughout the school year.

Appropriate measures are taken to respect the confidentiality of any student records protected under the Family Educational Rights and Privacy Act. All records and assessments are available to parents and are sent to the student's new school in the case of the student transferring to another school.

E. Students Below/Above Grade Level, English Language Learners, and Special Education

1. Support for Students Performing Below/Above Grade Level

Montessori classrooms, by design, effectively serve students who, historically, are academically low-achieving, as well as those who are academically high-achieving.

Research supports the concept that children develop at different levels. Montessori education addresses this research by providing each child with a solid foundation at his/her own pace, allowing each child to work on an individualized timeline that is appropriate, based on experience and mastery learning. Every child, regardless of ability, is continually challenged through the didactic kinesthetic experience.

In addition to the dedicated implementation of Montessori Methodology, the plan for low academic achievers includes three remediation areas. These include: an individualized and tailored plan for support, additional one-on-one tutoring, and the availability of supplemental materials to teachers. Individuals who test below grade level will be guided toward remedial work to solidify the earlier skills they have not yet mastered.

An individualized support plan identifies specific developmental and academic areas of need for low achievers and establishes interventions that are monitored and reviewed at subsequent support meetings.

2. Plan for English Learners

RMCS meets all applicable legal requirements for English Learners ("ELs") relative to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, reclassification to Fluent English Proficient (FEP) status, monitoring and evaluation of program effectiveness, and

standardized testing requirement. RMCS shall implement policies to effectuate proper placement, evaluation, and communication regarding ELs and the rights of parents and students.

a. English Learners and Core Instruction

River Montessori Charter School provides instruction to support English Language Learners in developing the skills needed to meet state standards. Teachers working with ELs will possess the appropriate CLAD, BCLAD, or SDAI certification as required. Teachers with CLAD, BCLAD, and/or SDAI certifications share additional strategies for teaching EL students and can assist with adapting Montessori materials for EL instruction.

The Montessori didactic materials allow students to work concretely with many concepts (especially geometry, arithmetic, and geography) while acquiring the English vocabulary to communicate those concepts. The ongoing collaboration between students and teachers offers almost continuous opportunities to hear and speak English. The non-competitive school environment and low student-teacher ratio support the student when trying to communicate in a new language. Each student will have a specific written plan of English language support, which will be developed by the teacher, the student, and the parents.

RMCS follows all CELDT testing timelines to ensure students receive proper instruction. RMCS will notify all parents of its responsibility for CELDT testing and of CELDT results within thirty days of receiving results from the publisher. RMCS shall comply with the applicable requirements of the No Child Left Behind Act with regards to EL students.

b. Home Language Survey

The Home Language Survey (HLS) shall be administered upon a student's initial enrollment into a California public school. If RMCS is not a student's first public school, RMCS will attempt to retrieve a copy of the student's HLS from the prior school(s) of attendance. Nonetheless, all students will be asked of their primary language with RMCS enrollment paperwork to ensure HLS is completed.

3. Plan for Special Education, Section 504 of the Rehabilitation Act, and Americans with Disabilities Act

The Charter School shall 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"), the Americans with Disabilities Act ("ADA") and the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA"). One of the tenets of the Montessori approach is to integrate special needs children (both gifted and challenged) into the learning environment. Contemporary "mainstreaming" is in agreement with the Montessori approach, which places emphasis on the benefits gained through involving children of different abilities and learning styles in the same environment. Anecdotal data supports the assertion that children who have early Montessori training are more

likely to have their exceptional gifts and challenges identified and an environment for nurturing these gifts and challenges provided.

Montessori teachers are equipped to deal with exceptional children in the context of the classroom flow. The Montessori approach focuses on the individual learner and provides a carefully prepared environment, which allows children to learn and progress at their own rate and according to their own capacities. As such, it makes dealing with exceptional learners something that can be addressed within the normal classroom agenda. This makes the Montessori approach ideal for dealing with the “special” child because in fact all children are special and are dealt with accordingly.

Finally, Montessori manipulative and other materials are especially designed to support the many different learning styles and levels of students. The regular use of the materials is designed to encourage participatory learning that is multi-dimensional (visual, auditory, kinesthetic, as well as cognitive).

The Charter School shall be categorized as a local educational agency (“LEA”) in accordance with Education Code Section 47641(a) and shall apply for membership within the Sonoma County Special Education Local Plan Area (“SELPA”).

The Charter School shall comply with all state and federal laws related to the provision of special education instruction and related services and all SELPA policies and procedures; and shall utilize appropriate SELPA forms.

The Charter School shall be solely responsible for its compliance with Section 504 and the ADA. The facilities to be utilized by the Charter School shall be accessible for all students with disabilities.

a. IDEIA

The Charter School intends to provide special education instruction and related services in accordance with the IDEIA, Education Code requirements, and applicable policies and practices of the SELPA which shall include but not be limited to identification; assessment; IEP development, implementation, and review; and provision of a full continuum of placement options to ensure each identified student is offered a free appropriate public education (“FAPE”) in the least restrictive environment.

The Charter School will follow SELPA policies and procedures, and shall utilize SELPA forms in seeking out and identifying and serving students who may qualify for special education programs and services and for responding to record requests and maintaining the confidentiality of pupil records. The Charter School shall provide the Authorizer confirmation of SELPA membership in accordance with the timeline established by the Authorizer.

b. Section 504 of the Rehabilitation Act/ADA

The Charter School recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise be subjected to

discrimination under any program of the Charter School. Any student, who has an objectively identified disability, which substantially limits a major life activity including but not limited to learning, is eligible for accommodation by the School.

A 504 team will be assembled by the Principal and shall include the parent/guardian, the student (where appropriate) and other qualified persons knowledgeable about the student, the meaning of the evaluation data, placement options, and accommodations. The 504 team will review the student's existing records; including academic, social and behavioral records, and is responsible for making a determination as to whether an evaluation for 504 services is appropriate. If the student has already been evaluated under the IDEIA but found ineligible for special education instruction or related services under the IDEIA, those evaluations may be used to help determine eligibility under Section 504. The student evaluation shall be carried out by the 504 team who will evaluate the nature of the student's disability and the impact upon the student's education. This evaluation will include consideration of any behaviors that interfere with regular participation in the educational program and/or activities. The 504 team may also consider the following information in its evaluation:

- Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel.
- Tests and other evaluation materials include those tailored to assess specific areas of educational need, and not merely those, which are designed to provide a single general intelligent quotient.
- Tests are selected and administered to 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.

The final determination of whether the student will or will not be identified as a person with a disability is made by the 504 team in writing and notice is given in writing to the parent or guardian of the student in their primary language along with the procedural safeguards available to them. If during the evaluation, the 504 team obtains information indicating possible eligibility of the student for special education per the IDEIA, a referral for assessment under the IDEIA will be made by the 504 team.

If the student is found by the 504 team to have a disability under Section 504, the 504 team shall be responsible for determining what, if any, accommodations or services are needed to ensure that the student receives the free and appropriate public education ("FAPE"). In developing the 504 Plan, the 504 team shall consider all relevant information utilized during the evaluation of the student, drawing upon a variety of sources, including, but not limited to, assessments conducted by the School's professional staff.

The 504 Plan shall describe the Section 504 disability and any program accommodations, modifications or services that may be necessary.

All 504 team participants, parents, guardians, teachers and any other participants in the student's education, including substitutes and tutors, must have a copy of each student's 504 Plan. The site administrator will ensure that teachers include 504 Plans with lesson plans for short-term substitutes and that he/she review the 504 Plan with a long-term substitute. A copy of the 504 Plan shall be maintained in the student's file. Each student's 504 Plan will be reviewed at least once per year to determine the appropriateness of the Plan, needed modifications to the plan, and continued eligibility.

F. Logistics of the Educational Program

1. Enrollment Plan

The Number of Students by Grade Table in Appendix I provides a projection of student enrollment, summary of classes by program level and staffing needs. The figures in the table are based on the student enrollment history of Eagle Peak Montessori, a similar charter school in the Mount Diablo Unified District, as well as based on the ages of the children of signers of the RMCS petition. As it is a projection, it is possible that actual total and grade-level enrollment numbers will be slightly higher or lower than those shown here. Generally speaking, almost all new students to the school will arrive at the 1st grade level because Montessori education begins with the Primary classroom serving children aged 2.9 to 6. With eight Montessori Preschool/Kindergartens in the area, we see ourselves as offering an extension of Montessori education that started at the Primary level with a ready reservoir of incoming students, creating continuity for the greater population of students.

Experience has shown it can be challenging for children to transition into a Montessori-style teaching method as they grow older and become more accustomed to the more "traditional" educational approach. Consequently, the enrollment plan calls for a constantly declining number of students from one grade to the next. A transition/bridge program will be provided every year for new children before the school year begins in July. This program will serve to prepare children who may have never been in the Montessori classroom before.

The table in Appendix I is a projection only and may be subject to change. The School will provide a written notice to the chartering agency if the student enrollment or staff projections vary or are projected to vary in a substantial way from these initial projections.

2. Minutes of Instruction

River Montessori Charter School offers 56,070 minutes of instruction per school year with the required 175 day school calendar. RMCS expects that students will attend school on a daily basis, unless ill. Accurate contemporaneous records of student attendance will be maintained, and those records will be available for audit and inspection.

3. School Day

RMCS will be in session Monday through Friday. The day begins at 8:15 AM and runs through 3:00 PM, Monday through Thursday (345 minutes per day). Fridays begin at 8:15 AM and end at 1:00 PM (225 minutes per day). Lunch/recess will last 60 minutes in the middle of the day. The school day is established and approved on an annual basis by the RMCS Board and is subject to change.

4. Calendar

The calendar year for the first year is attached as Appendix J. The school calendar is established and approved on an annual basis by the RMCS Board and is subject to change.

III. Measurable Outcomes

Governing Law: The measurable pupil outcomes are identified as follows for use by the Charter School. "Pupil outcomes," for the purpose 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)

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

A. State Required Measurements

Pupils at RMCS are taught in accordance with all State of California published standards in the following areas:

- Language Arts
- Mathematics
- Science
- Social Sciences
- Physical Education

RMCS meets all statewide standards and conducts the pupil assessments required pursuant to Section 60605(c)(1) of the California Education Code and any other statewide standards authorized in statutes and applicable to pupils in charter and non-charter public schools.

The following subsections describe the pupil outcomes River Montessori will pursue and against which its Authorizer will measure its academic progress:

1. Standardized Testing and Reporting (STAR)

The Standardized Testing and Reporting (STAR) Program is a part of the state assessment system. The schools administer the tests annually in the spring. Tests in the STAR Program measure how well students in California public schools are learning the knowledge and skills identified in the California content standards. All students in grades two and above participate in the STAR Program, including students with disabilities and students who are English learners.

The following tests will be administered at RMCS in accordance with state guidelines:

- The **California Standards Tests (CSTs)** measure the achievement of California content standards in English-language arts, mathematics, science, and history-social science (for grades two through six).
- The **California Achievement Tests, Sixth Edition (CAT/6 Survey)** measure the achievement of general academic knowledge in core subjects. These norm-referenced tests provide national comparisons (for grade three only).
- The **California Alternate Performance Assessment (CAPA)** measures the achievement of California content standards in English-language arts,

mathematics, and science. This alternate assessment is for students who have significant cognitive disabilities and cannot take the CSTs even with accommodations or modifications (for grades two through six).

- The **California Modified Assessment (CMA)** measures the achievement of California content standards in English-language arts, mathematics, and science. This assessment is for students with disabilities who meet CMA eligibility criteria approved by the State Board of Education (for grades three through five).
- The **Standards-based Tests in Spanish (STS)** measure the achievement of California content standards in reading-language arts and mathematics in Spanish. This assessment is for Spanish-speaking English learners (for grades two through six).

RMCS - STAR Annual Goals:

	2009-2010	2010-2011	2011-2012
Participation Rate	95%	95%	95%
English - Language Arts	<ul style="list-style-type: none"> • No more than 20% of students will be identified as “Basic” • 40% or more of students will be identified as “Proficient” (to be decreased only as the percentage of “Advanced” students increases) • 40% or more of students will be identified as “Advanced” 	<ul style="list-style-type: none"> • No more than 20% of students will be identified as “Basic” • 40% or more of students will be identified as “Proficient” (to be decreased only as the percentage of “Advanced” students increases) • 40% or more of students will be identified as “Advanced” 	<ul style="list-style-type: none"> • No more than 20% of students will be identified as “Basic” • 40% or more of students will be identified as “Proficient” (to be decreased only as the percentage of “Advanced” students increases) • 40% or more of students will be identified as “Advanced”

	2009-2010	2010-2011	2011-2012
Mathematics	<ul style="list-style-type: none"> No more than 20% of students will be identified as "Basic" 40% or more of students will be identified as "Proficient" (to be decreased only as the percentage of "Advanced" students increases) 40% or more of students will be identified as "Advanced" 	<ul style="list-style-type: none"> No more than 20% of students will be identified as "Basic" 40% or more of students will be identified as "Proficient" (to be decreased only as the percentage of "Advanced" students increases) 40% or more of students will be identified as "Advanced" 	<ul style="list-style-type: none"> No more than 20% of students will be identified as "Basic" 40% or more of students will be identified as "Proficient" (to be decreased only as the percentage of "Advanced" students increases) 40% or more of students will be identified as "Advanced"
Average Annual Progress	One grade level per year per student	One grade level per year per student	One grade level per year per student

For each year of operation, and considering students who were tested in both the prior and current year, RMCS make all reasonable efforts to increase the number of students scoring in the proficient or advanced range and decrease the number of students scoring in the basic range.

Each year the teaching staff and administration of the school review the results of the tests. The scores are used to identify areas of needed improvement.

The school reports the scores to parents in accordance with state recommendation. The Director reports the cumulative scores in the Annual School Progress Report. (Please see Section III, D.3., for a complete description of the report).

2. California English Language Development Test (CELDT)

Three purposes for the California English Language Development Test (CELDT) are specified in state law (see *Education Code Section 60810 (d)(1-3)*), including:

- Identify pupils as limited English proficient,
- Determine the level of English language proficiency (ELP) who are limited English proficient, and
- Assess the progress of limited English proficient students in acquiring the skills of listening, speaking, reading, and writing in English.

River Montessori Charter School has the following CELDT Goals:

- Identify pupils with limited English proficiency as early in their education as possible.
- Assist students with limited English proficiency in achieving their potential in learning the English language.

RMCS uses the scoring from the CELDT to develop individual learning plans and to identify needed resources to support students academically while they learn in the English language.

The CELDT results will be reported in accordance with state recommendation. Faculty, the administration, and the board review the school-wide results annually and as part of the Annual School Progress Report (see section III.D.3.).

3. Physical Fitness Testing (PFT)

The PFT will be administered to all 5th graders at RMCS. The scores from the PFT will be used to identify areas of needed improvement in the physical education program.

RMCS PFT Goals:

2009-2010	2010-2011	2011-2012
No 5th Grade Students; test will not be given	75% of students tested meet or exceed state standard	75% of students tested meet or exceed state standard

4. Accountability Progress Reporting (APR)

The Accountability Progress Reporting (APR) is California's integrated accountability system that reports the state Academic Performance Index (API) and the federal Adequate Yearly Progress (AYP).

The API is a single number, calculated by the state, ranging from a low of 200 to a high of 1000, which reflects a school's performance level, based on the results of statewide testing.

Adequate Yearly Progress (AYP) is a series of annual academic performance goals established for each school. AYP is required under Title I of the federal No Child Left Behind (NCLB) Act of 2001.

RMCS' performance will meet or exceed the average statewide rank and API scores of the elementary schools in the area where RMCS will be located as disaggregated by reportable subgroups (to the extent applicable) and by subject area. These elementary schools include: Bernard Eldridge Elementary, La Tercera Elementary, Miwok Valley Elementary, Old Adobe Elementary, Sonoma Mountain Elementary.

The School shall meet its annual Academic Performance Index growth target as established each year and shall make Adequate Yearly Progress ("AYP").

The director of the school reviews the APR annually and reports it annually within the Annual School Progress Report.

5. Attendance

River Montessori Charter School is committed to promoting high attendance rates. Attendance will be recorded daily and measured quarterly and annually.

RMCS Attendance Goal:

2009-2010	2010-2011	2011-2012
95%	95%	95%

Pupils with low attendance will be identified quarterly for early conferencing with parents or guardians. School-wide attendance will be reported in the Annual School Progress Report (see section III.D.3.).

B. Non-State Mandated Measurements

Our philosophy dictates that the accomplishment of performance outcomes is achieved by working to develop positive character traits in students while they learn. Montessori education integrates outcomes and the learning process. For example, independence is a behavior that is not separate from the process by which it is attained and practiced. Similarly, academic competence is the disposition to do things in certain ways, the ability to recall knowledge and the skills to enact appropriate academic procedures. Consequently, in addition to State of California published standards RMCS will focus on developing several attributes of successful learners and positive character traits in our students.

For each of the following ten attributes, teachers will report on each student's individual progress both in the biannual parent-teacher conference, and the quarterly written progress reports (see section III.D.2. for a complete description).

1. Cognitive Understanding and Thinking Skills

Goals:

- Students demonstrate an awareness of order and sequence.
- Students demonstrate the development of observation, questioning, and critical thinking skills.
- Students show evidence of a variety of complex thinking processes to help resolve complex issues.
- Students are able to access evaluate and integrate information from a variety of resources.
- Students are able to reflect upon their learning and to transfer learning to new situations.
- Students demonstrate the development of concentration, patience, and persistence.

Teachers assess each student's progress through the following methods (please see section C for full description of measurement methods to be used):

- Formal Presentation
- Oral Exam
- Ongoing Teacher Assessment
- Portfolio
- Peer Teaching
- Rubrics
- Self Evaluation

2. Academic Skills and Content Knowledge

Goal:

- Students demonstrate progress in academic skills and content knowledge.

In addition to state measurements, teachers assess each student's progress through the following methods:

- Formal Presentation
- Curriculum Checklist
- Oral Exam
- Ongoing Teacher Assessment
- Portfolio
- Peer Teaching
- Rubrics
- Self Evaluation

3. Confidence and Competence

Goals:

- Students are capable of correcting their own work upon observation, reflection, discussion, or completion of additional lessons.
- Students manage the available array of information with a clear sense of purpose.
- Students demonstrate the development of concentration, patience, and persistence.

Teachers assess the students' progress through the following methods:

- Oral Exam
- Ongoing Teacher Assessment
- Portfolio
- Peer Teaching
- Rubrics
- Self Evaluation

4. Independence

Goals:

- Students are able to choose their own work, apply energy to that work, complete it to agreed-upon criterion, and return material used to the place it is customarily kept in such a way that another child will be able to find and use it.
- Students participate in designing their own Individual Learning plans (see section II. D.3 for a complete description).
- Students are able to locate resources to continue the self-chosen task, or are able to solicit help if necessary.

Teachers assess the students' progress through the following methods:

- Formal Presentation
- Ongoing Teacher Assessment
- Self Evaluation

5. Autonomy

Goal:

- Students are able to accept or reject inclusion in another child's work or group with equanimity.

Teachers assess the students through the following methods:

- Peer Feedback
- Ongoing Teacher Assessment
- Portfolio
- Peer Teaching
- Self Evaluation

6. Intrinsic Motivation

Goals:

- Students are drawn to continue working for the apparent pleasure of doing so.
- Students, once having achieved competence, are able to move on to revel in mastery by showing others.

Teachers assess the student's progress through the following methods:

- Formal Presentation
- Ongoing Teacher Assessment
- Portfolio
- Peer Teaching
- Self Evaluation

7. Ability to Handle External Authority

Goals:

- Students are able to accept the “ground rules” of the group and abide by them.
- Students, when distant from the teacher, are able to function as if the teacher were nearby.

Teachers assess the student’s progress through the following methods:

- Ongoing Teacher Assessment
- Peer Feedback
- Self Evaluation

8. Social Responsibility

Goals:

- Students are able to collaborate and work effectively with others in cooperative groups.
- Students are respectful of others.

Teachers assess the student’s progress through the following methods:

- Formal Presentation
- Ongoing Teacher Assessment
- Portfolio
- Peer Teaching
- Peer Feedback
- Self Evaluation

9. Stewardship and Citizenship

Goals:

- Students demonstrate citizenship by planning and implementing a project in service to the school and/or the greater community.
- Students demonstrate an understanding of the natural world, and their interconnectedness to it.

Teachers assess the student’s progress through the following methods:

- Formal Presentation
- Ongoing Teacher Assessment
- Portfolio
- Peer Teaching
- Peer Feedback
- Self Evaluation

10. Positive Self-Image

Goals:

- Students are able to express feelings in a healthy manner.
- Students demonstrate the ability to solve conflicts effectively and fairly using skills of active listening and negotiation.
- Students demonstrate knowledge of pertinent issues of personal health.

Teachers assess the student's progress through the following methods:

- Formal Presentation
- Ongoing Teacher Assessment
- Peer Feedback
- Peer Teaching
- Self Evaluation

C. Montessori Methods of Student Evaluation

Assessment in the Montessori classroom incorporates the hourly, daily, and weekly appraisal of student progress. Early in their educational career at RMCS, students will learn self-assessment from the prepared environment of self-correcting materials and the examples/ modeling provided by the adult teaching staff. Self-assessment, self-reflection, and self-correction are important lifelong skills that students acquire from the earliest years in a Montessori environment. Additionally, students have experience from their earliest years that their learning is a partnership with their teachers and parents.

Teachers and students establish and agree upon daily, weekly, and monthly goals. Teachers will maintain written records of the work presented and mastered, and each child has a "work plan" against which his/her progress is measured as he or she moves through various time periods.

At any given time, a Montessori teacher knows precisely where a child is academically, developmentally, socially, and emotionally. With frequent one-on-one interaction and individual, personalized assessment of student work by the classroom teacher, issues and concerns emerge and are quickly addressed. Constant fine-tuning and periodic adjustments maximize student progress and assure intellectual engagement for each child.

In such a highly structured program, parents are alerted quickly to any concerns throughout the year. Additionally, RMCS will provide formal documentation of the student's progress quarterly. Progress reports will be sent home biannually (in the Fall and the Spring), and parents/guardians receive end-of-term reports at the end of each school semester (January and June). See Appendix K – Sample Report Cards.

1. Portfolios

Twice each year students and teachers go through the student's completed work and make selections for their portfolios. Students prepare a self-evaluation of the selected

work: what he or she accomplished, what he or she enjoyed the most, what he or she found most difficult, and what he or she would like to learn next.

2. Written evaluations

Teachers evaluate student's level of academic mastery and behavior (personal development) once each semester.

3. Self-assessment

Students reflect on both long and short-term planning of organizational and study skills as well as behavior goals.

4. Informal Oral Exams

Students share current work with the teacher verbally. Teachers continuously solicit feedback and understanding from the children on every aspect of their work, progress, perspective, and analysis.

5. Demonstration of Mastery by Peer Teaching

By guiding and advising each other and sharing what they have learned, students in a Montessori classroom reinforce their knowledge through teaching.

6. Formal Presentations of Projects and Reports

Teachers expect group and individual presentations of projects and reports in the Montessori classroom. Teachers evaluate the students' level of understanding of the topic through these formal presentations.

7. Ongoing Teacher Observation

A core tenet of the Montessori philosophy includes daily comprehensive observation. These observations go beyond work choices and performance. The teacher records notes on the student's level of independence, coordination, organization, and concentration, as well as all areas of development, and understanding of work, as well as success in managing student and community responsibilities.

8. Rubrics

A rubric uses descriptors explaining what is and is not present in the work. With these descriptors, the learner knows exactly how to improve his/her score on an assignment or project.

D. Reporting

1. Parent-Teacher Conferences

Parent Teacher Conferences will be conducted twice annually and on an as needed basis. Teachers and parents review portfolios, self-assessments, and teacher's

assessments of the student's progress based on the student's ILP. The ILP is then revised to reflect new goals. For a full description of an ILP, please see section D.3.

2. Quarterly Progress Reports

Written progress reports will be developed and given to parents or guardians each quarter. The reports will reflect the above measurements. Please see Appendix K for an example.

3. Annual School Progress Report

The Executive Director/Principal of RMCS presents an annual report to its Board of Directors, parents, and teachers about the status of the school's educational programs and student outcomes. This report is presented to the RMCS Board following the end of the academic year and is also distributed in writing to all concerned parties including the chartering school district. This report includes the following information:

- The achievement of both the state required and non-required annual academic goals;
- An analysis of student performance in meeting the annual academic goals. The data is disaggregated by race and ethnicity to the extent feasible without compromising student confidentiality;
- A summary of major decisions and policies established by the RMCS Board during the year;
- Measurement of parent involvement in RMCS;
- Summary and analysis of data from an annual parent and student satisfaction survey or feedback process;
- Plans for staff development, the number of staff working at the school and their qualifications;
- Summary of RMCS's involvement in the surrounding community;
- Description of how RMCS has implemented the means listed in the charter to achieve a racially and ethnically balanced student population;
- Analyses of the effectiveness of RMCS's internal and external dispute mechanisms. Data regarding the number of disputes, complaints, and method of resolution;
- The state of the educational program as well as the administrative, legal, and governance operations relative to compliance with the charter.

IV. Governance Structure

Governing Law: 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)

River Montessori Charter School has constituted itself as a California Non-Profit Public Benefit Corporation pursuant to California law (Charter Schools Act 47604.a/Part 2 commencing with Section 5110 of Division 2 of Title 1 of the Corporation Code). The school is governed pursuant to this charter and the bylaws adopted by the incorporators. RMCS is not a conversion of a private school and operates pursuant to the fundamental operating principles that largely define the concept of “public” education. RMCS is ultimately responsible to its Authorizer.

A. Board of Directors

The RMCS Board of Directors governs all operations of the school, delegating most day-to-day management to the administrative staff pursuant to its bylaws. It is the intent of the California Legislature that an authority that grants a charter to a charter school to be operated by, or as, a non-profit public benefit corporation, shall not be liable for the debts or obligations of the charter school (Charter Schools Act 47604.c). (See Appendices C and D for the Articles of Incorporation and Bylaws, respectively.)

During the planning of the school, prior to operation, the founders of the school elected an initial four member board (the “Founding Board”) from parents and community members. A fifth member was elected prior to submission of the charter application. Consultants with expertise in Montessori education, charter school operations, public education, and law support this board.

The Founding Board shall transition into the RMCS Board of Directors by September 2009. RMCS Board of Directors shall be elected or selected in accordance with the corporate bylaws and will be responsible for ensuring that the school is run in compliance with its Charter, all applicable state and federal laws, and that the school is financially viable.

After the first annual meeting, the Board of Directors will consist of seven members, consisting of three parents and four community representatives independent of the school. The authorizing District may decide to appoint one Director. In the event that the authorizing District appoints a Director, there shall be only three community representative Directors. Parents of the students enrolled at the school shall elect the parent Directors, as described in the Bylaws. The Board elects community representative Directors. The Board elects officers from within its own ranks.

Community representatives will serve two-year terms. Parent members will serve three-year terms. Members are eligible for re-election. A Director’s “term” starts the day that member is voted onto the Board.

The school shall adopt a Conflict of Interests Code, which shall comply with the Political Reform Act, Government Code Section 87100, with applicable conflict restrictions required of public boards by Government Code Section 1090, and with any other charter

school specific conflict of interest regulations adopted by the State Board of Education. Each member of the Board of Directors shall complete Conflicts of Interest Disclosure Form 700 and update it annually.

The RMCS Board of Directors may execute any powers delegated by law to it and consistent with its purpose of operating the charter school, shall discharge any duty imposed by law upon it, and may delegate to an officer or employee of River Montessori Charter School some duties pursuant to its bylaws. The Board, however, retains ultimate responsibility over the performance of those powers or duties so delegated. With the exception of substitute teachers, the Board may not delegate hiring or firing of employees nor the execution or termination of contracts.

The Board of Directors has ultimate control and responsibility, in accordance with the bylaws, for all policy making, hiring decisions, performance evaluations, capital expense proposals, budgeting, and fundraising. It is also responsible for short- and long-range facility planning.

The Directors will be responsible for carrying out Board Responsibilities including, but not limited to, the following:

- The general policies of the school;
- Approval and monitoring of the school's annual budget;
- Receipt of funds for the operation of the school in accordance with the charter school laws;
- Solicitation and receipt of grants, donations consistent with the mission of the school;
- Hiring and evaluating the Executive Director/Principal;
- Oversight and final approval of the hiring, discipline, or dismissal of school employees as recommended by the Executive Director/Principal;
- Approving the school's personnel policies and monitoring the implementation of these policies by the Executive Director/Principal and/or duly constituted committees;
- Approval of contracts with outside entities or persons;
- Review of requests for out of state or overnight field trips;
- Financial audit oversight;
- All matters related to charter approval, amendment, or revocation.

B. Board Meetings

The Board of Directors will meet generally once per month to review and act on its responsibilities. As long as a quorum exists as defined by the corporate bylaws, measures voted on by the Board of Directors may be passed with a simple majority of present members.

All decision making will be conducted in a collaborative, respectful, and creative manner. All meetings of the Board of Directors will be held in accordance with the Brown Act and are open to the public; minutes of such meetings are available on request. Occasionally it may be necessary to have closed sessions when issues of a confidential nature arise.

Meetings held in closed session and the content of those meetings are only available to members of the Board of Directors, except as provided for by the bylaws and the Brown Act.

C. Board Training

The Board of Directors shall participate regularly in training regarding board governance, the Brown Act, and conflicts of interest rules.

The River Board will receive introductory as well as more in-depth training from two sources. Lisa Corr (with Middleton, Young and Minney, LLP) and Tim Lohrentz (with Insight Center for Community Economic Development). They are both committed to doing these trainings without cost to the River Board and are experienced providers of these services. The trainings will be supported with written handouts some of which the River Board has already begun receiving.

Proposed schedule for River Board trainings is:

April 2009	Brown Act/Charter School Act/River Charter leadership training/strategic planning/adherence to mission
May 2009	Conflict of Interest Policy/River Charter
June 2009	Governance/Bylaws
July 2009	Fiscal Oversight/Board Policies
August 2009	Leadership training, strategic planning, and adhering to mission
October 2009	Training for New Board Members (includes all of the above)

D. Charter Control

In the event this charter and the bylaws of the Board conflict, the charter petition will take precedence.

V. Human Resources

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

A. Qualifications of School Employees

RMCS recruits qualified personnel to serve in administrative, instructional, instructional support, and non-instructional support capacities who reflect the ethnic and racial demographic of the student body. RMCS focuses on teacher leadership through professional development, team building, collaborative decision-making, and addressing the strengths of the school community through multiple intelligences. RMCS staff members are committed to the collaborative building of a new school program, which strives to achieve state standards through Montessori education.

Offers of employment are extended contingent upon successful completion of a criminal background check through the Department of Justice and a background/reference check. In addition, staff will possess First Aid/CPR Certification and current TB testing.

1. Executive Director/Principal

The Executive Director/Principal is responsible for the administration of the school in all aspects of its day-to-day operations. He or she will work with the Board of Directors, the School District, students, parents, and community members, and other governing bodies specified by local and state law.

a. Areas of Responsibility

The Executive Director/Principal's major areas of responsibility include:

- Advising the Board and making written recommendations to the board on programs, policies, budget, and other school matters;
- Attending Board meetings, committee meetings, and any other meetings relevant to directing RMCS;
- Preparing for all Board meetings, after consultation with the Board's chairperson;
- Providing reports to the Board on progress, programs, and problems of school operations;
- Interpreting the needs of the charter school to the Board and policies of the Board to school and community members;
- Informing and enlisting the support and understanding of the public;
- Interpreting educational programs and their results to the community;
- Oversight of acquisition, safety, and use of all school sites.;
- Maintaining relationships beneficial to the school with local and state public leaders;
- Development and implementation of school policies;

- Determination of staffing needs and appointment of staff as necessary;
- Oversight of all legal issues related to operation of charter school;
- Assigning, transferring, promoting and disciplining of staff;
- Delegating and defining duties of staff;
- Entering and terminating contracts on behalf of the charter school;
- Supervising and evaluating the instructional program;
- Implementing policy and philosophical directions established by the board;
- Developing and implementing short and long-range planning;
- Strategic planning for charter school;
- Acting as liaison between charter school and the Authorizer.

b. Requirements of Employment

Required and Ideal Qualifications, Executive Director/Principal

<i>Required</i>	<i>Ideal</i>
Baccalaureate Degree	Master's degree or PhD
Montessori Certification	Montessori Credentials at all Developmental Levels from a Montessori Accreditation Committee for Teacher Education (MACTE) approved program AND California Teaching Credential
Current First Aid/CPR	Same
Appropriate administrative experience	Plus, administrative experience in both the public and private education sectors
Effective communication skills	Plus, Spanish fluency and/or multilingual
Effective management skills	Plus, Montessori Administration Certificate

2. Core Teachers

All RMCS core teachers must possess a Professional Clear California teaching credential or Intern State Teaching Credential. He or she should also possess a Montessori teaching certification or be working towards the completion of a Montessori certification from an accredited Montessori program. All RMCS teachers shall also meet the applicable highly qualified requirements of the No Child Left Behind Act. Teachers working with ELs will possess the appropriate CLAD or equivalent certification within their multi-subject teaching credential and will have received SDAIE training prior to working with ELs.

The teacher serves as a facilitator and guide in the Montessori Classroom and is responsible for the functioning of the learning environment and all aspects of its day-to-day operations. He or she works with the Executive Director/Principal, and as necessary,

the Board of Directors, the Authorizer, students, parents, community members, and the other governing bodies specified by local and state law.

a. Areas of Responsibility

The Teacher's major areas of responsibility include:

- Understanding and promoting the school's vision, mission, and goals to students, parents, and community;
- Working with the community of administrators, teachers, parents, students, and board of directors, in articulating and maintaining the integrity and scope of the Montessori Method;
- Preparing the Montessori classroom environment to meet the students' needs and interests;
- Presenting consistent individual and group lessons to the students and supporting each child's direction and success;
- Meeting regularly with students to work with them in assessing their own success and facilitating an individual path of progress;
- Working with students of varying abilities assigned to the classroom, including those with learning difficulties as diagnosed, as well as attending meetings to support children who require it;
- Maintaining student records, reports, evaluations, inventories, and tests;
- Participating in field trips and overnights;
- Attending Board meetings, committee meetings, and any other meetings relevant to teaching at RMCS as necessary;
- Continuing professional development and participating in recommended conferences, training programs, courses, and other areas of professional growth.

b. Requirements of Employment

Required and Ideal Qualifications, Core Teacher

Required	Ideal
Baccalaureate Degree	Master's degree or PhD
Montessori Certification or working towards this certification	Montessori Credentials at all Developmental Levels from a Montessori Accreditation Committee for Teacher Education (MACTE) approved program
Professional Clear or Intern California State Teaching credential	Same
Montessori classroom experience	Teaching experience in a public, Montessori Charter School

Required	Ideal
CLAD or equivalent certification as legally required to serve English Learners; SDAIE training	Spanish fluency and/or multilingual
Core academic subject competency in accordance with NCLB	Same
Current First Aid/CPR	Same

3. Non-Core Teachers

Non-Core teachers are not required to hold credentials but must demonstrate subject knowledge and the ability to work well with children.

RMCS may employ or retain staff to provide instruction in any non-core subject, including but not limited to, the performing arts, foreign language, environmental education, and any other enrichment program which shall be understood to constitute a non-core subject.

4. Other Staff, Substitutes, and Consultants

All other staff must demonstrate the abilities necessary to effectively carry out their responsibilities.

B. Employee Representation, Rights, and Retirement

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)

RMCS shall be deemed the exclusive public school employer of the employees of the school for the purposes of the Educational Employment Act. Employees are at will. No agreements are valid without the approval of the Board. The Board determines individual salaries and wages.

It is the policy of RMCS that all employees are employed at the will of the school for an indefinite period. Accordingly, either RMCS or the employee can terminate this relationship at any time, for any reason, without cause, and with or without notice.

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 or policy of the District as aligned with the collective bargaining agreements of the District.

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 RMCS shall participate in STRS and the federal social security system as applicable to the position. All certificated staff, including teachers, substitutes, and the Executive Director/Principal (if meeting eligibility requirements), will participate in STRS. All non-certificated staff and all employees not participating in STRS will participate in federal social security. RMCS shall inform all applicants for positions within the charter school of the retirement system options for employees of the charter School. The School Director/Principal shall be responsible for enrolling and ensuring arrangements are made for coverage and participation in STRS and federal social security, respectively.

C. 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)

Health and Safety policies will be incorporated as appropriate into the school's student and staff handbooks and will be reviewed annually for compliance with California law.

1. Procedures for Background Checks

The charter school shall 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 and/or any more than limited or unsupervised contact with students of the charter school. The Executive Director/Principal of the charter school shall monitor compliance with this policy and report to the Board of Directors on a quarterly basis.

2. Role of Staff as Mandated Child Abuse Reporters

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

3. Health

a. TB Testing

RMCS shall follow the requirement of Education Code Section 49406 in requiring tuberculosis testing of all employees prior to commencing employment.

b. Immunizations

RMCS shall 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.

c. Medication in School

RMCS shall adhere to Education Code Section 49423 regarding administration of medication in school.

d. Vision/Hearing/Scoliosis

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

e. 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.

f. Drug Free/Smoke Free Environment

The school shall maintain a drug, alcohol, and smoke free environment.

4. Safety

a. Emergency Preparedness

RMCS shall adhere to the Emergency Preparedness Handbook, which contains emergency procedures and shall be tailored specifically to the needs of the campus site. This Plan includes, but is not limited to, the following responses: fire, flood, earthquake, threats, hostage situation, and biological and chemical release.

b. CPR/First Aid

RMCS shall require all administrative and instructional staff receive training in emergency response, including "first responder" training, which includes First Aid and CPR.

c. Facility Safety

RMCS shall have a policy that it is housed in facilities that have received fire marshal approval and that have been evaluated by a qualified structural

engineer who has determined that the facilities present no substantial seismic safety hazard.

d. Annual Site Evaluation for Safety

RMCS shall have an annual site safety evaluation.

e. Student Emergency Information

The charter school shall require that a current Emergency Information Card for each enrolled child is on file at the school so that parents/guardians can be notified promptly in case of accident or illness involving their child. Parents will be informed of what to do in case of an emergency in the Student-Family Handbook.

VI. 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)

A. Disputes between the Authorizer and the School

The school and the Authorizer 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.

Any complaints/concerns received by the Authorizer about any aspect of the operation of the charter school or about the charter school shall be promptly forwarded by the Authorizer to the charter school Board. To the extent that such concerns/complaints may involve issues related to possible revocation or non-renewal of the charter, the Authorizer may request that the charter school inform the Authorizer of how such concerns/complaints were or will be addressed. The charter school agrees to provide such information. The parties recognize that the charter school shall not be obligated to release information that is determined by law to be confidential in nature and not subject to release to the Authorizer.

Mediation: Prior to the filing of any litigation between the Authorizer and charter school, the parties agree to meet to attempt to resolve the issues. If such meetings are not successful, the parties shall attempt to resolve the issue by way of non-binding mediation. Each party shall be responsible for its own costs and expenses related to participation in mediation. The parties shall mutually agree on a mediator and the Charter School shall bear the full expense of the mediator.

The school recognizes that because the SBE is not a local educational agency, it may choose to resolve a dispute directly instead of pursuing mediation as specified here, provided that if the SBE does choose to resolve a dispute directly, it must first hold a public hearing to consider arguments for and against the direct resolution of that dispute.

If the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with Education Code Section 47604.5, the matter will be addressed at the State Board of Education's discretion in accordance with that provision of law and any regulations pertaining thereto.

B. Internal Disputes

All disputes involving the school shall be resolved by the school according to the school's own internal policies. The District shall not be involved with internal disputes of the school unless the school requests District involvement, or unless the internal dispute relates to one of the reasons under Education Code Section 47607 for which a charter may be revoked.

VII. Admissions, Attendance, and Discipline

A. Student Admissions and Attendance

1. Student Admissions Policies and Procedures

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

The goal of River Montessori Charter School's Admissions policy is to attract, enroll, and retain at our school the broadest spectrum of students and families representative of the rich diversity existing in the District.

RMCS is open to any student in the state and if the number of pupils who wish to attend exceeds the school's capacity, attendance, except for existing pupils of RMCS, shall be determined by public random drawing. Applications will be accepted during a publicly advertised open-enrollment period each spring for enrollment in the following school year. At the conclusion of the public random drawing, all students who were not granted admission due 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 case of an opening during the school year. The wait list is maintained only through one week prior to the open enrollment date of the following school year. Once on the wait list, a family will remain in that position until they are offered a spot in the school or express no further interest, until one week prior to open enrollment. A new application must be submitted each year. During enrollment, volunteers and paid employees will return calls and answer questions from prospective families. If families from the wait list are offered a position, they must accept that position within three business days or will lose that spot. If they decline the offer of enrollment, they may choose to be removed from the wait list or placed at the bottom of the wait list for that given year.

Students transferring into RMCS will be placed in the RMCS classroom that correlates with the grade level achieved at the former school. Upon transferring out of RMCS all student records will be sent to the student's next school following a request to transfer from the parents. The records will indicate which grade level the student attained.

To ensure that all students will be placed appropriately and benefit fully from the Montessori Method of education, the following pre-admission procedures are enforced. RMCS reserves the right to deny admission if failure to comply with any of these procedures occurs. An admitted student may be removed from the school if failure to comply with these procedures is discovered after admission is granted.

a. RMCS Admissions Procedure:

- 1) Parents may attend a pre-admission prospective parent meeting;¹
- 2) Parents may attend a school observation (waived the first year);

¹ The parent meeting and school observation will not be required prior to an applicant's selection through a public random drawing.

- 3) Application to the school shall be completed and returned to the school no later than the deadline published for that school year.

(Application to the school shall include authorization for the school to request and receive student records from schools the student has attended or is currently attending, completed Emergency Medical Information Form, Home Language Survey, Proof of Immunization, and proof of minimum age requirements, e.g. birth certificate.)

b. RMCS Enrollment Process:

- 1) Determine class size/configuration for the upcoming school year;
- 2) Design attractive program informational materials;
- 3) Schedule prospective parent meetings (attendance is encouraged but not mandatory for admissions);
- 4) Issue press releases and utilize other communication strategies;
- 5) Actively recruit students throughout the community;
- 6) Mail information packets to interested families;
- 7) Host voluntary parent prospective meetings;
- 8) Schedule school observations (attendance is encouraged but not mandatory for admissions);
- 9) Ensure all pre-admission procedures are completed by submitted applications;
- 10) Determine the capacity of students at each level;
- 11) If there are more applicants than capacity, enrollment, except for existing students of the School, for the open positions is determined by public random drawing² utilizing the following preferences:
 - i. Residents of the District
 - ii. Siblings of currently enrolled students
 - iii. Children of founding families (not to exceed 10% of school population)
 - iv. Children of staff and RMCS governing Board members (not to exceed 10% of school population)³
 - v. All other children who complete the enrollment process on time.If there are more applicants than available slots, the students not drawn from the lottery (based on i - v above) will be placed on the wait list in the order in which they are drawn from the lottery. Children who complete the application process after the published deadline will be added to the wait list;
- 12) Notification of acceptance or placement on wait list is sent to families;

² During any period of federal grant funding this public random drawing shall be a single, weighted lottery.

³ During any period of grant funding under the Public Charter Schools Grant Program, preferences iii & iv shall be limited to a combined no more than 10% of total school population unless otherwise approved by the California Department of Education in grant approval. Additionally, preference iv shall be limited to “children of teachers”.

- 13) For children with Special Needs, after receiving notification of acceptance, as part of the registration process, the family must provide full disclosure by the parents, current teacher, and current school of any specific needs of the child in order for the school to meet its legal requirements in serving the child upon enrollment;
 - i. A copy of any existing Student Study Team (SST) evaluations and recommendations for the student shall be provided ;
 - ii. A copy of any existing Individual Education Program (IEP) for the student shall be provided;
 - iii. Required procedures for the transfer of program between SELPAs shall be followed by the school;
 - iv. A copy of any 504 documentation;
 - v. The school shall not use the information provided in this section to determine admission. Admission to the school shall be considered by public random drawing without consideration of ability or disability. The information provided in this section is to be provided upon a determination of enrollment in order for the school to ensure it meets its legal requirements in serving all students of the school;
- 14) Meeting with Executive Director/Principal to accept placement in school;
- 15) Parent Involvement Pledge is signed and returned to the school along with the proper acceptance documentation.

2. Means to Achieve Racial/Ethnic Balance Reflective of District

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)

River Montessori Charter School (RMCS) is non-sectarian in its programs, admission policies, employment practices, and all other operations. The school does not charge tuition for the charter program, and does not discriminate on the basis of race, ethnicity, national origin, gender, or disability.

RMCS recognizes its legal and social responsibility to take all feasible steps to enroll a student population that is reflective of the ethnic and racial diversity in the District. RMCS will implement a student recruitment strategy.

While RMCS cannot legally ensure a specific racial and ethnic balance (prohibited both by the State Constitution and the Charter Schools Act), the following outreach plans to achieve a racial and ethnic balance reflective of the territorial jurisdiction of the school district will be implemented:

- An enrollment process that is scheduled and adopted to include a timeline that allows for a broad-based recruiting and application process;
- The development and distribution of promotional and informational material that appeals to all of the various racial and ethnic groups represented in the District and the communities in which its sites are located, including Spanish language materials as needed;

- The scheduling of open house nights, Montessori informational seminars, and prospective parent nights for parents and other activities during the school year where the community is invited in to learn about RMCS;
- The advertisement of outreach activities on its website, in the Argus Courier, and through community newsletters;
- The creation of a program, which will utilize volunteer community outreach workers who will be trained to discuss and explain RMCS and the Montessori philosophy in Spanish to local Spanish speaking families.

RMCS believes that these activities will attract a broad base of applicants, but if it does not, RMCS will review these outreach measures to consider any improvements necessary for the following year of operation.

3. Pupil 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 district 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 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.

B. Discipline Philosophy and Suspension and Expulsion Procedures

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

Montessori philosophy recognizes the importance of an orderly and safe environment as a cornerstone to the learning experience for children. Personal community values such as sharing, kindness, cleanliness, and personal responsibility as well as respect for self, others, and the environment are an integral part of the Montessori experience. As these values are continually modeled and reinforced, children need less and less correction over time.

However, if a student persistently has difficulty accepting the school’s rules of conduct or engages in dangerous behavior, we will work closely with parents, the student, and the Executive Director/Principal to find appropriate solutions.

In accordance with the law, RMCS incorporates and binds itself to comply with federal due process requirements for suspension and expulsion of regular and special education students.

An individual with exceptional needs, as defined in Education Code Section 56026, may be suspended or expelled from school in accordance with Section 1415(k) of Title 20 of

the United States Code, the discipline provisions contained in Sections 300.530 to 300.537, inclusive, of Title 34 of the Code of Federal Regulations.

The charter school will consult with the Authorizer in considering the suspension or expulsion of an individual with exceptional needs and shall provide the Authorizer approval rights over such action by the charter school as further defined by the memorandum of understanding between the Authorizer and the charter school.

Behavior expectations for students short of suspension and expulsion will be further developed in collaboration with RMCS staff and approved by the Board of Directors.

The expulsion/suspension of a student will be considered in compliance with the RMCS policy and procedure attached as Appendix L.

VIII. Reporting and Accountability

A. Financial Statements and Reporting

1. Charter Petition Budget

Governing 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))

Budget documents are attached to this charter (Appendix M):

- A projected startup budget, October 2008 to June 2009
- Building Detail, including estimated square footage and estimated monthly lease
- An Annual Operational Budget for the first three years of operation
- List of Assumptions for the Operational Budget
- Monthly Cash Flow for the first 36 months of operation; and
- CDE Charter School Planning and Implementation Grant budget.

These documents are based upon the best data available to the petitioners at this time, including the projected number of students by grade (Appendix I). The budget documents are income and expense projections for planning and evaluation purposes.

RMCS uses the following principles in the elaboration of its budget documents and its financial planning:

- Conservative revenue projections
- Creation of a reserve fund
- Partnering with the River Montessori Foundation which will be the primary fundraising arm of RMCS.
- Independence from Fundraising. The core budget is not dependent on fundraising. Fundraising is only allocated toward supplemental resources and activities.
- Salary compatibility with the District and other local districts
- Long-term sustainability. RMCS will make decisions based on long-term financial projections.
- Flexibility in classroom materials, such as rotating materials from room to room
- Prudent use of the start-up loan fund or similar funds
- Commitment to low classroom sizes and small school size
- Enthusiastic use of volunteers, but not to take the place of paid staff
- Non-profit accounting according to generally accepted accounting principles (GAAP)

The RMCS Board of Directors, together with the Executive Director, shall regularly examine the budget and make projections for future budget years.

2. Financial Reporting

The charter school shall provide reports to the Authorizer as follows, and may provide additional fiscal reports as requested by the Authorizer:

- a. By July 1 a preliminary budget for the current fiscal year; for a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement;
- b. 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 from the preceding year shall be delivered to the Authorizer, State Controller, State Department of Education, and County Superintendent of Schools;
- c. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31;
- d. By September 15, a final unaudited report for the full prior year. The report submitted to the Authorizer shall include an annual statement of all the charter school's receipts and expenditures for the preceding year.

3. Audits

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)

RMCS's Board of Directors will form an audit committee to oversee selection of an independent auditor and the completion of an annual audit of the school's financial affairs. The members of the audit committee will not have a direct, personal financial stake in matters audited. The audit committee will also be charged with reviewing, responding to, and resolving the audit and any findings or deficiencies thereof. The audit committee will also ensure that the audit is filed with the SBE, the CDE, and the Controller in a timely manner, on or before December 15th of each year.

Each audit shall be made by a certified public accountant, licensed by the California Board of Accountancy, selected from the Certified Public Accountants Directory published by the State Controller's Office. This auditor will have experience with audits of educational entities and education finance, preferably with charter schools. The audit will be conducted according to requirements set forth in the Charter Schools Act, Education Code Sections 41020 and 47605(m), and the Standards and Procedures for Audits of California K-12 Local Educational Agencies as published in the California Code of Regulations. To the extent required under applicable federal law, the audit scope will be expanded to include items and processes specified in applicable Office of Management and Budget Circulars. The audit will be conducted in accordance with generally accepted accounting principles applicable to the school and will verify the accuracy of the school's financial statements, average daily attendance and enrollment accounting practices, and review the school's internal controls. By December 15th of

each year, the annual audit will be completed and a copy of the auditor's findings will be forwarded to the, chartering authority the County Superintendent of Schools, the State Controller, the California Department of Education's ("CDE") Charter Schools Division and the CDE Audit Resolution Office.

The school's audit committee reviews any audit exceptions or deficiencies and reports to the school's Board of Directors with recommendations on how to resolve them. The Board reports to the Authorizer regarding how the exceptions and deficiencies have been or will be resolved. In addition, the school and the Auditor consider an audit exception or deficiency to be resolved once the auditor considers the item resolved. Any disputes regarding the resolution of audit exception and deficiencies will be referred to the dispute resolution process referenced in this petition, or if applicable, referred to the Education Audit Appeal Panel ("EAAP") appeal process (Education Code Section 41344).

B. Administrative Services

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

A school site Executive Director/Principal will assume the lead responsibility for administering the school under the policies adopted by the school's Board of Directors. The petitioners anticipate that RMCS will provide or procure most of its own administrative services, including but not limited to financial management, personnel, and instructional program development. The petitioners may be interested in discussing the possibility of purchasing some of these or other services from a local school district or county office of education. The specific terms and cost for these services will be the subject of an annual Memorandum of Understanding ("MOU") between the charter school and the District and subject to District availability.

Upon approval of the charter, if not completed during the charter approval process, the charter school shall begin MOU negotiations with the District or a local district or county office of education over contracted services if the District desires. Should services be unavailable, or by June 1, 2009, if no MOU has been executed between the Parties, the charter school shall obtain its own administrative services either in house or through a third party contractor.

C. 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))

RMCS shall locate at one site within the Old Adobe Union School District or as otherwise allowed pursuant to Education Code Section 47605(a)(5). The search for a site is ongoing at present in the Old Adobe Union School District. A description of the necessary RMCS site for the first operating year includes:

- Five classrooms of approx. 960 square feet each
- Office space for school administration

- Outdoor space for playground
- Adequate parking and room for student drop-off.

Ideally, the RMCS site will also include:

- An All-Purpose room where art, assemblies, and parent education could occur
- Outdoor space for a garden and outdoor classroom.

D. Closure Protocol

Governing Law: A description of the procedures to be used if the charter school closes. The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records. (Education Code Section 47605(b)(5)(P))

Closure of the School will be documented by official action of the Board of Directors. The action will identify the reason for closure. The official action will also identify an entity and person or persons responsible for closure-related activities.

The Board of Directors will promptly notify parents and students of the charter school, the Authorizer, the Sonoma County Office of Education, the school's SELPA, the retirement systems in which the school's employees participate (e.g., State Teachers' Retirement System, and federal social security), and the California Department of Education of the closure as well as the effective date of the closure. This notice will also include the name(s) of and contact information for the person(s) to whom reasonable inquiries may be made regarding the closure; the pupils' school districts of residence; and the manner in which parents (guardians) may obtain copies of pupil records, including specific information on completed courses and credits that meet graduation requirements.

The Board will ensure that the notification to the parents and students of the charter school of the closure provides information to assist parents and students in locating suitable alternative programs. This notice will be provided promptly following the Board's decision to close the school.

The Board will also develop a list of pupils in each grade level and the classes they have completed, together with information on the pupils' districts of residence, which they will provide to the entity responsible for closure-related activities.

As applicable, RMCS will provide parents, students, districts of residence and the Authorizer with copies of 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. RMCS will ask the County Office of Education to store original records of charter school students. All records of the school shall be transferred to the County Office of Education upon school closure if the County Office of Education agrees. If the County Office of Education will not or cannot store the records, the charter school shall work with the County Office of Education to determine a suitable alternative location for storage.

All state assessment results, special education records, and personnel records will be transferred to and maintained by the entity responsible for closure-related activities in accordance with applicable law.

As soon as reasonably practical, the school will prepare final financial records. The school will also pay for a final independent audit completed within six months after closure. The audit will be prepared by a qualified Certified Public Accountant selected by the school and will be provided to the Authorizer promptly upon its completion. The final audit will include an accounting of all financial assets, including cash and accounts receivable and an inventory of property, equipment, and other items of material value, an accounting of the liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation, and an assessment of the disposition of any restricted funds received by or due to the charter school.

The School will complete and file any annual reports required pursuant to Education Code section 47604.33.

On closure of the school, all assets of the school, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending the school, remain the sole property of the charter school and shall be distributed in accordance with the Articles of Incorporation and Bylaws upon the dissolution of the non-profit public benefit corporation to another public educational entity. Any assets acquired from the District or Authorizer or District or Authorizer property will be promptly returned upon school closure to the District or Authorizer as applicable. The distribution shall include return of any grant funds and restricted categorical funds to their source in accordance with the terms of the grant or state and federal law, as appropriate, which may include submission of final expenditure reports for entitlement grants and the filing of any required Final Expenditure Reports and Final Performance Reports, as well as the return of any donated materials and property in accordance with any conditions established when the donation of such materials or property was accepted.

On closure, the school shall remain solely responsible for all liabilities arising from the operation of the school.

As the school is operated by a non-profit public benefit corporation, should the corporation dissolve with the closure of the school, the Board will follow the procedures set forth in the California Corporations Code for the dissolution of a non-profit public benefit corporation and file all necessary filings with the appropriate state and federal agencies.

As specified by the Budget in Appendix M, RMCS will utilize the reserve fund to undertake any expenses associated with the closure procedures identified above.

The closure procedures specified herein shall be updated as necessary to ensure full compliance with applicable regulatory requirements.

IX. Impact on the Authorizer

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

A. Potential Civil Liability Effects

The following statement is intended to fulfill the terms of Education Code Section 47605(g) and provides information regarding the proposed operation and potential effects of RMCS on the Authorizer.

RMCS shall be operated as a California non-profit public benefit corporation. This corporation is organized and operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code and California Revenue and Taxation Code Section 23701d. One of the objectives of the corporation is to provide public education for residents of the State of California, in accordance with the Charter Schools Act, California Education Code Section 47600, et seq.

Pursuant to Education Code Section 47604(c), an entity that grants a charter to a charter school operated by or as a non-profit public benefit corporation shall not be liable for the debts or obligations of the charter school or for claims arising from the performance of acts, errors, or omissions by the charter school if the authority has complied with all oversight responsibilities required by law. RMCS shall work diligently to assist the Authorizer in meeting any and all oversight obligations under the law, including monthly meetings, reporting, or other requested protocol to ensure the Authorizer shall not be liable for the operation of the charter school.

Further, RMCS and the Authorizer shall enter into a memorandum of Understanding (“MOU”), which shall provide for indemnification of the Authorizer.

The Board of Directors of RMCS will institute appropriate risk management practices, including screening of employees, establishing codes of conduct for students, staff and participating families, and procedures governing financial transactions and dispute resolution.

B. Insurance

The corporate bylaws of RMCS shall provide indemnification of the school's Board of Directors, officers, agents, and employees and RMCS will purchase general liability insurance, Directors and Officers insurance, fidelity bonding to secure against financial risks, workers compensation, and other necessary insurance of the types and in the amounts required for an enterprise of similar purpose and circumstance. Insurance amounts and coverage will be determined by recommendation of the insurance company for schools of similar size, location, and type of program. The Authorizer shall be named an additional insured on the general liability insurance and all other policies of the charter school. RMCS and the Authorizer shall agree upon the minimum required types and amounts of insurance within the memorandum of understanding (“MOU”).

X. Conclusion

By approving this charter, the Authorizer will be fulfilling the intent of the Charter Schools Act to increase learning opportunities for all pupils; to create new professional opportunities for teachers; and to provide parents and pupils with expanded choices in education as well as following the directive of law to encourage the creation of charter schools. The Petitioners are eager to work together with the Authorizer to set the highest standard for what an elementary school should and can be. To this end, the Petitioners pledge to work cooperatively with the Authorizer to answer any concerns over this document and to present the Authorizer with the strongest possible proposal for approval of the five-year charter to begin operation in July or August 2009. Renewal of the charter shall be governed by the standards and criteria in Education Code Section 47605 and/or applicable law.