CHARTER RENEWAL

Presented to:

SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION

Charter Renewal Term:

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AFFIRMATIONS AND DECLARATION

Hardy Brown College Prep ("HBCP", "Hardy Brown" or the "Charter School"), located within the boundaries of the San Bernardino City Unified School District ("SBCUSD" or the "District") and operated by Rex & Margaret Fortune School of Education ("FSE"), will follow any and all federal, state, and local laws and regulations that apply to the Charter School, including but not limited to:

- The Charter School shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(d)(1)]
- Rex and Margaret Fortune School of Education declares that it shall be deemed the exclusive public school employer of the employees of Hardy Brown College Prep for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(c)(6)]
- The Charter School shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(e)(1)]
- The Charter School shall not charge tuition. [Ref. Education Code Section 47605(e)(1)]
- The Charter School shall admit all students who wish to attend the Charter School, unless the Charter School receives a greater number of applications that there are spaces for students, in which case it will hold a public random drawing to determine admission. Except as required by Education Code Section 47605(e)(2), admission to the Charter School shall not be determined according to the place of residence of the student or of that student's parents or legal guardian within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(e)(2)(B)(i)-(iv). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code Section 47605(e)(2)(C). [Ref. Education Code Section 47605(e)(2)(A)-(C)]
- The Charter School shall not discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender identity, gender expression, 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, including immigration status, or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(~~e~~)(1)]
- The Charter School shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973 ("Section 504"), Title II of the Americans with Disabilities Act ("ADA") of 1990 and the Individuals with Disabilities Education Improvement Act of 2004 ("IDEA").
- The Charter School shall 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)(C)]
- The Charter School shall ensure that teachers in the Charter School hold a Commission on Teacher Credentialing ("CTC") certificate, permit, or other document required for the teacher's certificated assignment. The Charter School may use local assignment options authorized in statute and regulations for the purpose of legally assigning certificated teachers, in the same manner as a

governing board of a school district. [Ref. Education Code Section 47605(l)(1)]

- The Charter School shall at all times maintain all necessary and appropriate insurance coverage.
- The Charter School shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D).
- If a pupil is expelled or leaves the Charter School without graduating or completing the school year for any reason, the Charter School shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a transcript of grades, and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the Charter School within 30 days if the Charter School demonstrates that the pupil had been enrolled in the Charter School. [Ref. Education Code Section 47605(e)(3)]
- The Charter School may encourage parental involvement, but shall notify the parents and guardians of applicant students and currently enrolled students that parental involvement is not a requirement for acceptance to, or continued enrollment at, the Charter School. [Ref. Education Code Section 47605(n)]
- The Charter School shall adhere to each of the conditions in Education Code Section 47605(e)(4)(A)-(D), including: (A) not discouraging a student from enrolling or seeking to enroll in the Charter School for any reason; (B) not requesting a student's records or requiring a parent, guardian, or student to submit the student's records before enrollment; (C) not encouraging a student currently attending the Charter School to disenroll or transfer to another school for any reason; and (D) providing a copy of the California Department of Education ("CDE") notice regarding the requirements in Education Code Section 47605(e)(4)(A)-(D) to a parent/guardian or student if the student is 18 years of age or older: (i) when a parent/guardian or student inquires about enrollment, (ii) before conducting an enrollment lottery, or (iii) before disenrollment of a student. [Ref. Education Code Section 47605(e)(4)(A)-(D)]
- The Charter School shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. Education Code Section 47612.5(a)(2)]
- The Charter School shall, on a regular basis, consult with its parents and teachers regarding the Charter School's educational programs. [Ref. Education Code Section 47605(d)]
- The Charter School shall comply with any applicable jurisdictional limitations to the locations of its facilities. [Ref. Education Code Sections 47605 and 47605.1]
- The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. Education Code Sections 47612(b) and 47610]
- The Charter School shall comply with all applicable portions of the Elementary and Secondary Education Act ("ESEA"), as reauthorized and amended by the Every Student Succeeds Act ("ESSA").
- The Charter School shall comply with the California Public Records Act, Government Code Section 7920.000, et seq. ("CPRA").
- The Charter School shall comply with the Family Educational Rights and Privacy Act, 20 U.S.C Section 1232g, 34 CFR Part 99 ("FERPA").

- The Charter School shall comply with the Ralph M. Brown Act, Government Code Section 54950, et seq. ("Brown Act").
- The Charter School shall comply with the Political Reform Act, Government Code Section 81000, et seq. ("PRA").
- The Charter School shall meet or exceed the legally required minimum number of school days. [Ref. Title 5 California Code of Regulations Section 11960]

CHARTER RENEWAL CRITERIA

Pursuant to the amendments made to Education Code Section 47607, and the creation of Education Code Section 47607.2, by Assembly Bill 1505 (2019), at the time of charter renewal, a chartering authority shall consider the performance of the Charter School on the state and local indicators reported on the California School Dashboard ("Dashboard"), and, in some circumstances, the performance of the Charter School on assessments deemed to be verified data.

In addition to the shift toward assessing Dashboard data, Assembly Bill 1505 also created a three-tiered system of evaluating charter schools' performance based on Dashboard data and metrics as compared to state average for all students and for subgroups. The California Department of Education evaluates all charter schools and places them in renewal tracks annually and makes that report available to the public. In accordance with law and the CDE's performance category designations, HBCP merited the middle-performing category. We present evidence and data below to demonstrate that HBCP has met the renewal criteria for a five-year renewal.

Education Code Section 47607.2(b) states:

> (1) For all charter schools for which [top and bottom tier] do not apply, the chartering authority shall consider the schoolwide performance and performance of all subgroups of students served by the Charter School on the state indicators included on the [Dashboard] and the performance of the Charter School on the local indicators included in the [Dashboard].
> (2) The chartering authority shall provide greater weight to performance on measurements of academic performance in determining whether to grant a charter renewal.

Education Code Section 47607(c)(3) defines measurements of academic performance as statewide assessments on the California Assessment of Student Performance and Progress ("CAASPP") system, or any successor system, the English Language Proficiency Assessments for California ("ELPAC"), or any successor system, and the college and career readiness indicator. Education Code Section 47607.2(c)(1) specifies that verified data is data derived from nationally recognized, valid, peer-reviewed, and reliable sources that are externally produced. HBCP primarily utilizes California Assessment of Student Performance and Progress (CAASPP) Summative Assessments, which will be discussed in more detail below.

Summary

Table 1: Math % Met in 2024-25

	All Students	Black	Latino	Low Income
HBCP	33%	28%	43%	31%
SBCUSD	23%	13%	23%	22%
County	29%	16%	25%	23%
State	37%	20%	26%	26%

Source: 2024-25 CAASPP Report

HBCP students' performance in mathematics exceeds the district and the county for all students. The performance of HBCP's Black, Latino, and Low Income students exceed the performance of Black, Latino, and Low Income students in the district, county, and state. HBCP grew 14% from 2023-24 to 2024-25, which is seven times the state's rate of growth in mathematics.

Table 2: ELA % Met in 2024-25

	All Students	Black	Latino	Low Income
HBCP	39%	37%	32%	35%
SBCUSD	36%	27%	36%	34%
County	43%	30%	39%	37%
State	49%	33%	39%	38%

Source: 2024-25 CAASPP Report

HBCP students' performance in English language arts exceeds the district for all students. The performance of HBCP's Black students exceeds the performance of Black students in the district, county, and state. Additionally, Low Income students at HBCP exceeded the performance of Low Income students in the district. HBCP grew 8% from 2023-24 to 2024-25, which is four times the state's rate of growth in English language arts.

Table 3: Comparisons to SBCUSD Charter Schools (2025 Dashboard)

Charter School	ELA % Met	Math % Met	Average
Savant Preparatory Academy of Business	62	61	62
Ballington Academy for the Arts and Sciences	41	38	39
Hardy Brown College Prep	39	33	36
iEmpire Academy	30	32	31
SOAR Charter Academy	37	16	27
New Vision Middle	27	12	20
Options for Youth-San Bernardino	26	9	17
ASA Charter	25	9	17
Public Safety Academy	26	5	15
Provisional Accelerated Learning Academy	17	4	10
Woodward Leadership Academy	3	3	3

Source: 2024-25 CAASPP Report

For 2024-25, HBCP outperformed eight other SBCUSD charter schools serving the same or similar grade levels in both ELA and Math.

Dashboard State and Local Indicators (2025)

HBCP Math Performance Level and Distance from Standard (DFS)

Demographic	2023-24 HBCP	2024-25 HBCP	District	State
All Students	-66.9	-45.6	-78.8	-42.4
Black	-70.4	-55.9	-110.6	-95.8
Latino	-46.7	-18.3	-79.3	-73.6
Low Income	-76.0	-50.6	-83.4	-72.9

Distance From Standard (DFS) measures how many points a student's score is above or below the "Standard Met" (Level 3) threshold, showing how close they are to being ready for college and career, with positive numbers meaning above standard and negative numbers meaning below standard. This metric is calculated for each student and then averaged for student groups, schools, and districts.

In Math, HBCP improved for all students and statistically significant student groups from 2023-24 to 2024-25. HBCP exceeded the district with all students and exceeded the district and state with Black, Latino, and Low Income students. Additionally, HBCP achieved Green with Latino students, exceeding the district and state.

HBCP English Language Arts Performance Level and DFS

Demographic	2023-24 HBCP	2024-25 HBCP	District	State
All Students	-40.2	-29.5	-37.9	-8.1
Black	-35.3	-31.6	-61.3	-51.3
Latino	-50.0	-35.8	-38.7	-33.7
Low Income	-53.7	-36.5	-42.4	-35.3

In ELA, HBCP improved for all students and statistically significant student groups from 2023-24 to 2024-25. HBCP exceeded the district with all students, Latino students, and Low Income students. Additionally, HBCP exceeded the district and state with Black students.

Non-Academic Dashboard Indicators

Chronic Absenteeism

	2024	2025
HBCP	33%	31.5%
District	29.3%	28.3%
State	18.6%	17.1%

HBCP improved chronic absence from 2023-24 to 2024-25. HBCP, which serves 65% Black students, had a chronic absence rate that was consistent with the chronic absence rate for Black students statewide. Studies show that improvement in Black absenteeism has lagged behind other student groups post-pandemic (Rosales 2025)[1].

Suspension Rate

	2023-24	2024-25
HBCP	3.4%	8%
District	4.7%	3.8%
State	3.2%	2.9%

HBCP serves a student population that is 65% Black, and its suspension rate has historically been consistent with the statewide suspension rate for Black students. The school maintains a clearly articulated discipline matrix, published in the Scholar-Parent Handbook, which guides the consequences assigned when students violate behavioral expectations.

During the 2022–23 school year, HBCP reached a high-water mark in suspensions - 15.8% - as the school, like many across the country, worked to address significant post-pandemic behavioral challenges stemming from prolonged school closures. Following targeted reforms to the discipline matrix, the suspension rate was reduced from 15.8% to 3.4% in 2023-24. However, this reduction revealed an important tension: lower suspension rates had an unintended consequence. Our campus was less safe for students. Accordingly, further revisions to the discipline matrix were implemented between 2023–24 and 2024–25 to strengthen campus safety and improve learning conditions. While these changes resulted in higher suspension rates, they reflect a necessary balance between minimizing exclusionary discipline and maintaining a safe, effective learning environment. This experience aligns with research indicating that aggressive reductions in suspension rates can have unintended negative consequences, including declines in academic achievement (Zarecki, 2019).

At the same time, HBCP continues to pursue sustained reductions in suspensions through strengthened governance

[1] Rosales, Betty Marquez. "Academic gaps 'allowed to linger' among California's Black students over past decade, report says" *EdSource*. Feb 27, 2025. https://edsource.org/2025/academic-gaps-allowed-to-linger-among-californias-

black-students-over-past-decade-report-says/727505#:~:text=In%20the%20areas%20of%20chronic,published%20by%20Education%20Trust%2DWest.

and oversight. The Principal is no longer authorized to unilaterally suspend students; instead, all proposed suspensions must be reviewed by an impartial Discipline Committee composed of administrators not based at the campus. This committee works collaboratively with the Principal to ensure that all appropriate alternatives to suspension have been attempted before exclusionary discipline is imposed. Suspension data are reviewed weekly at both Cabinet and Principals' Meetings to maintain continuous attention, accountability, and progress toward reducing suspension rates while preserving a safe school environment.

Local Indicators

The following chart reflects the Charter School's 2025 Dashboard Local Indicators.

Indicator	
Basics: Teachers, Instructional Materials, Facilities	"Standard Met"
Implementation of Academic Standards	"Standard Met"
Parent and Family Engagement	"Standard Met"
Local Climate Survey	"Standard Met"
Access to a Broad Course of Study	"Standard Met"

Overall, HBCP demonstrated clear and measurable academic growth from 2023–24 to 2024–25 across both Math and ELA. In Math, performance improved for all students and every statistically significant subgroup, with HBCP outperforming the district overall and exceeding both the district and state for Black, Latino, and Low-Income students; notably, Latino students achieved a Green performance level. Similar gains were seen in ELA, where all students and statistically significant subgroups showed improvement. HBCP exceeded district performance for all students, Latino students, and Low-Income students, and surpassed both district and state outcomes for Black students. Collectively, these results reflect sustained improvement and strong academic outcomes grounded in verified data.

A charter petition renewed pursuant to Education Code Section 47607.2(b) (middle performing) shall be granted a renewal term of five years. As clearly demonstrated by the evidence above, the Charter School meets this renewal criterion and should be granted a renewal term of 5 years.

A. EDUCATIONAL PHILOSOPHY AND PROGRAM

"The educational program of the charter school, designed, among other things, to identify those whom the charter 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."

-Education Code Section 47605(c)(5)(A)(i)

"The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals."

-Education Code Section 47605(c)(5)(A)(ii)

Mission

To graduate high achieving students of good character prepared for college and citizenship in a democratic society.

Educational Philosophy

An Educated Person in the 21st Century

Being an educated person in the 21st Century means to have a high level of academic mastery as well as critical thinking and problem-solving skills that will provide opportunities and preparation for college and career. Hardy Brown College Prep (HBCP) promotes students with the highest levels of academic achievement and character. These academic and life skills give students the tools to meet the educational, professional and personal challenges of the 21st century.

How Learning Best Occurs

HBCP adheres to the Five Pillars The Five Pillars guide the operation of HBCP and serve as the values by which administrators, faculty and staff serve and interact with scholars. The Five Pillars are the framework for the innovative program design that distinguishes HBCP from other schools in the region.

Five Pillars

1. **High Expectations** – All schools in the Fortune network have high expectations for academic achievement and conduct that are clearly defined, measurable, and make no excuses based on the background of scholars. Scholars, parents, teachers, and staff create and reinforce a culture of achievement and support through a range of formal and intrinsic rewards and consequences for academic performance and behavior.
2. **Choice and Commitment** – Scholars, their parents, and the staff of every Fortune School choose to participate in the program. No one is assigned or forced to attend. Everyone must make and uphold a

commitment to the school and to each other and must be willing to put in the time and effort required

to achieve success.

3. **More Time** – We know that there are no shortcuts when it comes to success in academics and life. With an extended school day, week, and year, scholars have more time in the classroom to acquire the academic knowledge and skills that prepare them for competitive colleges, as well as more opportunities to engage in diverse extracurricular experiences.
4. **Focus on Results** – We focus relentlessly on high scholar performance through standardized tests and other objective measures. Just as there are no shortcuts, there are no exceptions. Scholars are expected to achieve a level of academic performance that will enable them to succeed in the nation's best colleges and the world beyond.
5. **Citizenship** - We train all scholars to become leaders and all of our staff shall model leadership qualities. Principals are given independent control of staffing and budget decisions. In addition to principals, staff members who demonstrate necessary leadership potential are given responsibilities extending beyond a single classroom. Most importantly, scholars are given leadership development training and opportunities to practice leadership skills on a daily basis both inside and outside the classroom.

Since its founding in 2010, HBCP has proven that its model gets results, having been recognized as a US News and World Report Top Elementary School. In the 2025 administration of the SBAC, Hardy Brown College Prep grew 7% in ELA, 14% in Math and 11% in Science

Students to be Served

The Charter School serves students in grades TK to 8. While open to all students in the state, HBCP will continue to target students and families living in the San Bernardino City Unified School District (SBCUSD, the District). HBCP will strive to be diverse in culture, language, ethnicity and socio-economic background.

HBCP focuses on students who come from economically disadvantaged families and may be significantly behind in reading and math. HBCP is open to all students. The Charter School actively recruits a diverse student population. HBCP strives through recruiting efforts to achieve a racial and ethnic balance of students that reflect the general population within the territorial jurisdiction of the SBCUSD. HBCP also has as a part of its unique focus a specific mission to address the long standing low performance of African American students in the District. Hardy Brown College Prep has consistently achieved strong academic outcomes with the students who are often the hardest to serve. As an institution we have opened our doors to educators from throughout the Inland Empire to share our practices in a spirit of partnership.

Opened in 2010, Hardy Brown College Prep met the goal of their original charter petition ahead of schedule, earning an 800 API in just three years rather than five. The San Bernardino City School Board renewed the Charter School for a five year term from 2013-2018. In 2018-2019, Hardy Brown College Prep achieved its peak academic performance of 51% in Math and 57% in ELA (Figure 1). Then schools closed down because of the COVID-19 pandemic and HBCP transitioned to online education. Following national trends, when student academic performance suffered after pandemic era school shutdowns, HBCP declined to 26% in Math and 37%

in ELA in 2020-2021 (Figure 1). Due to the incredible commitment of educators, scholars and families, HBCP's academic performance is rebounding after the pandemic. By 2022-2023, Hardy Brown had grown to 31% in Math and 42% in ELA (Figure 1). HBCP's math performance has continued to be particularly strong. HBCP's Math achievement exceeds the District, county, and state for all three of its significant student groups: African American, Latino, and Low Income (Table 2). In ELA, African American students consistently outperformed the District, county, and state (Table 2).

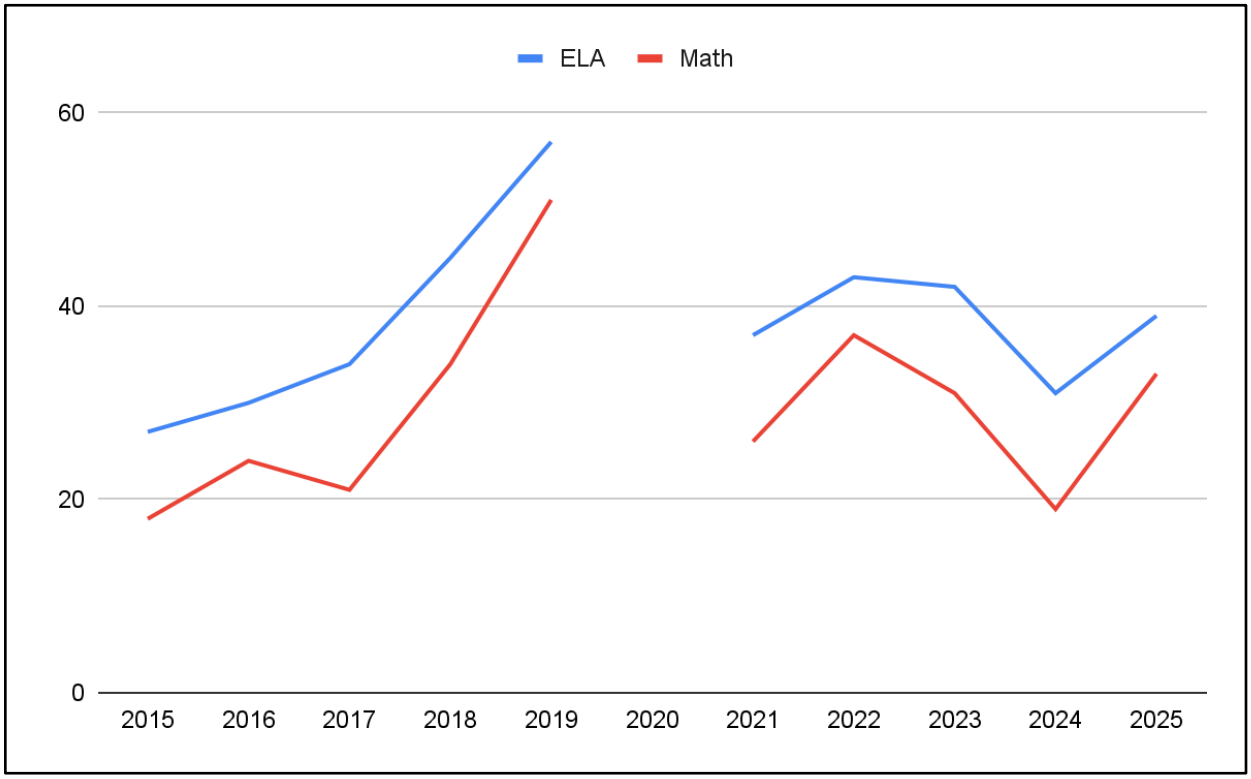

Figure 1: Hardy Brown Academic Performance, 2015 to 2025

Source: 2024-25 CAASPP Report

HBCP is inclusive of students with a wide range of talents and abilities, including those with special needs and English Learners. The vast majority of HBCP students come from economically disadvantaged families with 90% of students eligible for Free or Reduced-price meals as a part of the National School Lunch Program. Our most recent demographic data from the 2024-2025 school year is captured in the tables below:

Table 5: Hardy Brown Demographics, 2024-25

Student Group	Number (percentage)
Female	154 (49%)
Male	162 (51%)
Socioeconomically Disadvantaged	284 (90%)
Students with Disabilities	30 (10%)
English Learners	15 (5%)
Homeless	7 (2%)
Foster Youth	4 (1%)
African American	206 (65%)
Hispanic	79 (25%)
Two or More Races	22 (7%)
Asian	3 (1%)
White	2 (1%)
American Indian or Alaska Native	1 (0.3%)
Total	316

Curriculum and Instructional Design

As explained above, HBCP believes in the Five Pillars. The Five Pillars are our educational philosophy. HBCP operates site-based programs with an instructional model based on a highly disciplined school culture and differentiated instruction. Since the implementation of the Common Core State Standards, our instructional model has evolved to emphasize more student-centered classrooms that are characterized by the use of ratio strategies, centers and blended learning using Chromebooks. We consider following our instructional materials in a disciplined fashion as a part of our commitment to High Expectations (Pillar #1). Our overall goal is to prepare each of our scholars to be competitively eligible for a four-year college or university.

HBCP ensures that scholars demonstrate mastery of all state content standards, including the Common Core State Standards ("CCS") for Math and ELA, the Next Generation Science Standards ("NGSS"), the English Language Development ("ELD") Standards, the History Social Science Framework, and all other applicable content standards (hereinafter, collectively "State Standards"). HBCP teachers clearly articulate and post the State Standards in each classroom and integrate the State Standards into all lesson plans and classroom activities by posting daily objectives.

HBCP adopted curricula, which are aligned to state standards and the science of reading in grades K-8.

Table 6: Core Instructional Materials for K-12

Subject	Curriculum
English Language Arts/English Language Development	K-2 Reading Screener: Amira Benchmark Advance: Ready to Advance (TK) EL Education (K-1) Houghton Mifflin Harcourt Journeys Common Core 2014 (2-4) Achievement First Open Source Curriculum (5-8) Or other adopted materials by the charter school.
Mathematics	Benchmark Advance: Ready to Advance (TK) Achievement First Open Source Curriculum (K-8)
Science	EL Education (K-1) Amplify Science (2-8)
Humanities	EL Education (K-1) HMH Harcourt and iReady Writing (2-4) Holt Social Studies 2005 (6-8) AVID Materials

Data Driven Instruction

Culture & Rigor (August - December)

HBCP teachers Focus on Results (Pillar #4) by using data to drive instruction. From August through December, teachers assess students bi-weekly and work with Master Teachers (full-time curriculum coaches) to identify trends for error analysis and targeted reteach lessons. Planning for continuous improvement in student academic achievement is the focus of bi-weekly grade-level collaboration time for teachers during Early Release Wednesdays.

Crescendo (January - May)

January through May is the part of the year, leading up to state testing, that HBCP calls Crescendo. Crescendo has four parts: Error Analysis Reteach, Performance Task Wednesdays, Saturday Academy and Intersession.

- **Error Analysis Reteach**. Scholars participate in Error-Analysis Reteach lessons on Tuesdays and Thursdays to ensure they are mastering key standards. Teachers and Master Teachers and other support staff pull scholars for targeted small-group instruction.
- **Performance Task Wednesdays**. Scholars take practice performance tasks, which improves three key skills: Stamina - staying focused over a long sitting in order to accomplish many tasks. Checking work - Checking for the quality in their own thinking to make sure they answered each question to the best of their ability. Perseverance - Use the tools that they know they have to tackle a new or challenging task.
- **Saturday Academy**. More time offered to scholars in grades 3-8, who scored at or above the 40th percentile on the latest i-Ready diagnostic.

- **Intersession**. More time offered to scholars below the 55th percentile on their latest iReady diagnostic. Small group targeted instruction on key standards.

Instructional Time & Academic Schedule

Teaching and learning at HBCP is a choice that faculty, students, staff and parents make voluntarily. It requires an extraordinary commitment of time, patience and hard work. That's why we emphasize that Choice and Commitment (Pillar #2) is the mindset required to succeed in the HBCP Model. For example, HBCP scholars have a longer school day and a longer school year, giving them More Time (Pillar #3) to master academic content. We have a modified year-round schedule in which scholars attend school in three trimesters. In between trimesters, HBCP holds an Intersession program for students who need additional support in ELA and Math. During Intersession, scholars work in small groups with their teachers to master standards. During the last trimesters of the year, scholars participate in Crescendo. This includes extended time on Wednesdays and Saturday School. During the summer, we offer a 24-day Summer School to help scholars close gaps and prepare for the next school year. See **Appendix 1** for the bell schedule and **Appendix 2** for the academic calendar.

School Culture

More Time (Pillar #3) also applies to instructional time that HBCP teachers devote to teaching our scholars the school culture. Teachers spend the first ten days of school teaching school culture, which covers expectations for student behavior as well as the routines and procedures a HBCP scholar is expected to know. Teachers revisit these expectations after every break when students return to school. We call this practice Setting the Tone for Learning and it is a fundamental part of the HBCP Model. Teachers participate in professional development to learn how to Set the Tone for Learning. We monitor teacher effectiveness in this area using an observation instrument. Our approach is to teach scholars everything and assume nothing. For example, we teach scholars how to walk in the hallways using a procedure called HALL; how to sit up, listen, ask questions, and track the speaker through a procedure called SLANT; as well as how to use hand signals to ask basic questions like "may I sharpen my pencil?"

Character Education

Citizenship is Pillar #5. We teach our scholars to be good citizens using Kohlberg's Six Levels and Character Counts. Kohlberg was a moral philosopher and student of child development. He was director of Harvard's Center for Moral Education. His special area of interest was the moral development of children--how they develop a sense of right, wrong and justice. Kohlberg observed that growing children advance through definite stages of moral development. His observations and testing of children and adults led him to theorize that human beings progress consecutively, in stages.

Kohlberg's Six Stages of Moral Development

Level 1: We do the right thing because we don't want to get in trouble.
Level 2: We do the right thing because there's a reward.
Level 3: We do the right thing because we want to impress someone.
Level 4: We do the right thing because we want to follow the rules and keep the peace.
Level 5: We do the right thing because we care about the rights and feelings of others.
Level 6: We do the right thing because it's who we are.

Kolhlberg's Six Stages of Moral Development are posted in all HBCP classrooms and are taught in-depth during culture building in the first ten days of school and after scholars return from each trimester break. Teachers and principals make ongoing reference to Kohlberg's with scholars throughout the program to foster scholars' moral development.

Character Counts is an educational framework for teaching values represented in Six Pillars of Character — trustworthiness, respect, responsibility, fairness, caring, and citizenship. HBCP teachers instruct scholars on the Six Pillars of Character giving recognition to scholars who exemplify the character traits.

HBCP has also incorporated social emotional learning as an essential component of morning meetings. As a part of this work, HBCP adopted Second-Step curriculum, which is an online curriculum designed to reduce impulsive, high-risk, and aggressive behaviors, and increase children's social competence and other protective factors. In addition, HBCP partnered with Beyond Us and Them to incorporate community circles into morning meetings, building community within the classrooms. Finally, as an alternative to suspension and means for restoring community, HBCP includes Restorative Circles into their consequences for behaviors, helping scholars learn from their mistakes and restore harm.

Positive Behavior Management

Student behavior is monitored and supported in various ways including:

- Classroom Dojo - classroom management platform for teachers where each student has an avatar that gains and loses points according to their behavior in class and in the hallways; makes reports to parents in real time through an app.
- School Administrators implement student behavior expectations published in HBCP's Scholar-Parent Handbook (**Appendix I I**) and provide social skills classes and individual behavior plans for students who need extra support.

- Behavior Technicians who are trained through the El Dorado County Charter School SELPA on positive behavior management and Nonviolent Crisis Prevention Intervention supervise HBCP scholars at lunch, recess, physical education and in the hallways.

Community Service

In addition, scholars are expected to participate in a class community service project each trimester. Participation in the class community service project is a requirement for Honor Roll along with academic expectations. This focus on a school-wide culture of High Expectations (Pillar #1) and Citizenship (Pillar #5) is a distinguishing feature of the HBCP campus.

Teaching Methods & Instructional Strategies

HBCP gives students opportunities to learn academic and life skills from teachers, parents, classmates, and caring community members. The instructional strategies employed at HBCP are described below. These strategies apply to all students, including English Learners and students with special needs. Following the description of HBCP's instructional strategies, we provide a chart explaining how HBCP use Multi-Tiered Systems of Support (MTSS) to ensure that every student receives developmentally appropriate, individual instruction that leads to standards mastery.

Ratio

Ratio is the collection of teaching techniques that ensures students are doing as much of the "heavy lifting" as possible --thinking, talking, writing and analyzing-- as soon as they are ready. The idea is to increase the ratio of student talk to teacher talk, a key strategy under the Common Core State Standards. Ratio includes techniques such as Habits of Discussion, Turn & Talk, Everybody Writes, Cold Call and Call & Response. HBCP uses Doug Lemov's explanation of ratio in *Teach Like a Champion 2.0 (2014)* in its teacher professional development.

Differentiated Instruction

All too often, teachers "teach to the middle", meaning instruction is geared toward the mid-range of academic levels in the classroom. This severely hampers students who are struggling and those who are excelling. In order to maximize the learning opportunities and achievement for all students, HBCP uses a variety of differentiated instructional strategies. Specifically, instruction at HBCP will be delivered through a variety of modalities (auditory, visual, multi-media, "hands-on") and flexible grouping strategies (whole class, cooperative groups, project-based learning). In addition, all teachers collect, analyze and reflect upon student achievement data on a weekly basis to guide instruction and ensure that all students' needs are being met. Fortune Rise is our differentiated instruction time on Mondays, Tuesdays, Thursdays, and Fridays that provides targeted, teacher-led small-group instruction aligned to mastery data and scholar needs. We use i-Ready as a supplementary resource to deliver adaptive online lessons and personalized practice. Together, they ensure every scholar receives the right support and challenge to reach grade-level proficiency and beyond.

i-Ready serves as a key component of our MTSS by providing tools that address the diverse academic needs

of all scholars. The My Path feature delivers individualized, adaptive lessons based on diagnostic data to support Tier 1 and Tier 2 instruction, ensuring scholars receive targeted practice at their level. The Teacher Toolbox offers standards-aligned lessons, small-group activities, and intervention resources that empower teachers to provide Tier 2 and Tier 3 support. Together, these tools help identify learning gaps, monitor progress, and deliver timely, data-driven interventions that promote scholar growth and mastery.

Learning Centers

A learning center is a self-contained section of the classroom in which students engage in independent and self-directed learning activities. Centers give teachers the opportunity to focus on specific areas of study. HBCP teachers use centers as a strategy in English/Language Arts and math to differentiate instruction for students. Students work independently at centers, allowing the teacher to work one-on- one or in small groups with students who need individual attention.

Field Lessons

Field lessons are an important opportunity for students to receive direct experiences beyond the text and classroom discussions. Field lessons are always an extension of standards-based classroom learning. Field lessons provide a rich, in-depth experience with the outside world that cannot be provided by just classroom activities. Certain field lessons are a common part of the HBCP experience for a scholar:

- Each scholar in grades TK-8 visits a 4-year university annually.
- 5th grade scholars take a field lesson to the Cal Poly San Luis Obispo Learn by Doing Science Lab to focus on science standards that their classroom teachers identify as a priority.
- 8th grade scholars may attend a week-long field lesson in Washington, DC. This trip takes place outside of the academic schedule, and is voluntary.

Advisory Groups

Beginning in middle school, scholars are assigned to a homeroom advisory teacher. Each advisory is named after a college or university. Advisory teachers are advocates for their scholars and the primary contact for parents.

Plan for how the charter will identify and respond to the needs of students who are:

- Not achieving at or above expected levels
- Achieving substantially above or below grade level expectations

Through HBCP's Multi-Tiered System of Support program, teachers use data from formative and summative assessments to assign students to tiers in which students receive targeted, individualized, instruction. Below are descriptions of the tiers and the supports HBCP provides. It is important to note that these tiers are fluid and the intent is that students move at least one, if not two, tiers above their current classification over the course of the year.

Definitions of Terms Used in MTSS Chart

Multi-Tiered System of Support **-** A multi-tiered approach to the early identification of and support of all students' learning needs.

Tier Descriptors[1]

- Exceeded Standard - The student demonstrates advanced progress toward mastery of the knowledge and skills in mathematics/ELA and Literacy needed for likely success in future coursework.
- Met Standard - The student demonstrates progress toward mastery of the knowledge and skills in mathematics/ELA and Literacy needed for likely success in future coursework.
- Nearly Met Standard - The student may require further development to demonstrate the knowledge and skills in mathematics/ELA and literacy needed for likely success in future coursework.
- Not Meeting Standard - The student needs substantial improvement to demonstrate the knowledge and skills in mathematics/ELA and Literacy needed for likely success in future coursework.

i-Ready serves as a key component of our Multi-Tiered System of Support (MTSS) by providing tools that address the diverse academic needs of all scholars. The My Path feature delivers individualized, adaptive lessons based on diagnostic data to support Tier 1 and Tier 2 instruction, ensuring scholars receive targeted practice at their level. The Teacher Toolbox offers standards-aligned lessons, small-group activities, and intervention resources that empower teachers to provide Tier 2 and Tier 3 support. Together, these tools help identify learning gaps, monitor progress, and deliver timely, data-driven interventions that promote scholar growth and mastery.

Table 7: Multiple Tiered System of Support

Tier	Curriculum Support	Teacher Support
Exceeded Standard (Advanced 90-100%) Tier 1	• Rigorous on-grade-level activities to promote critical thinking. • Extended projects. • Curriculum Resources for ELA/ELD in o Benchmark Advance (TK) o EL (K-1) o Journeys (2-4); • Advanced Readers • Research-Based Core Instruction • Built on Common Core State Standards • Achievement First Open Source ELA (5-8) • Includes Scaffolds for Reading Complex Text • Includes Differentiated Instruction • Curriculum Resources for ELA/ELD in o Benchmark Advance (TK) o Achievement First Math Lessons and Stories (K-8) • iReady Mypath Lessons provide scholars with the opportunity to complete assignments aligned to their current learning needs. • iReady Teacher Toolbox lessons provide targeted reteach opportunities based off of bi-weekly and weekly Standards Mastery Assessments.	• Small group instruction and/ or independent study with like peers to extend learning in on-grade-level material. • Targeted enrichment activities to enhance student strengths. • Accelerated rate of introducing on-grade-level material. • Potential work in the next grade level learning objectives. • Greater flexibility and independence with teacher-provided material.

Met Standard (Benchmark 80% and above)
Tier 1
	• Rigorous on-grade-level activities to promote critical thinking.
	• Extended projects.
	• Curriculum Resources for ELA/ELD in
	  ○ Benchmark Advance (TK)
	  ○ EL (K-1)
		• Small group instruction with like peers to clarify concepts and skills early in order to maintain on-grade-level progress.
		• Targeted on-grade-level activities to promote depth of knowledge.

	○ Journeys (2-4);
	• Advanced Readers
	• Research-Based Core Instruction
	• Built on Common Core State Standards
	• Achievement First Open Source ELA (5-8)
	• Includes Scaffolds for Reading Complex Text
	• Includes Differentiated Instruction
	• Curriculum Resources for ELA/ELD in
	  ○ Benchmark Advance (TK)
	  ○ Achievement First Math Lessons and Stories (K-8)
	• **i**Ready Mypath Lessons provide scholars with the opportunity to complete assignments aligned to their current learning needs.
	• iReady Teacher Toolbox lessons provide targeted reteach opportunities based off of bi-weekly and weekly Standards Mastery Assessments.	

Nearly Met Standard (Strategic 70-79%)
Tier 2
	• Rigorous on-grade-level activities to promote critical thinking.
	• Extended projects.
	• Curriculum Resources for ELA/ELD in
	  ○ Benchmark Advance (TK)
	  ○ EL (K-1)
	  ○ Journeys (2-4);
	  • Advanced Readers
	  • Research-Based Core Instruction
	  • Built on Common Core State Standards
	• Achievement First Open Source ELA (5-8)
	• Includes Scaffolds for Reading Complex Text
	• Includes Differentiated
		• Small group instruction with like peers to review concepts and skills for on-grade-level material.
		• Alternative teaching strategies that target specific learning styles to fill gaps in learning and to support students building on-grade- level skills and knowledge.
		• Decelerated rate of introducing on-grade-level material.
		• Academic Intersession with classroom teacher for small group instruction focused on key standards.

	Instruction
	• Curriculum Resources for ELA/ELD in
	  ○ Benchmark Advance (TK)
	  ○ Achievement First Math Lessons and Stories (K-8)
	• iReady Mypath Lessons provide scholars with the opportunity to complete assignments aligned to their current learning needs.
	• iReady Teacher Toolbox lessons provide targeted reteach opportunities based off of bi-weekly and weekly Standards Mastery Assessments.	

[1] These descriptors draw from the Smarter Balanced Assessment Consortium's (SBAC) Achievement Level Descriptors.

Educator Professional Development

Providing teachers and school leaders with the ongoing professional development, coaching and planning time they need to be successful in implementing our instructional program to fidelity is a part of the HBCP

Model. Fortune School of Education provides HBCP educators professional development through our Curriculum and Instruction Department as well as credential programs. A teacher can expect to:

- Participate in a Summer Symposium, all staff multiple-day conferences focused on HBCP culture and system-wide initiatives;
- Participate in Summer Institute, all-staff multiple-day professional development focused on classroom culture and intellectual preparation to execute curriculum materials.
- Participate in one weekly early-release day that focuses on classroom culture and intellectual preparation to execute curriculum materials~~,~~ in addition to analyzing data from the most recent assessment(s) and plan for reteach lessons.
- Participate in a weekly Academic Strategy Meeting, led by the principal, to improve on instructional strategies identified by the principal during weekly classroom observations.
- Receive professional development and coaching on their Common Core aligned instructional materials;
- Have daily and weekly planning time;
- Be assigned a Master Teacher and an administrator to provide coaching and model lessons;
- For District Interns and International Teachers: Participate in our Fortune Fellows Program, which includes additional monthly professional development and cultural experiences; and
- Have the opportunity to advance to school leadership through our School Leadership Program through Fortune School of Education. Some teachers learn the HBCP Model in depth by earning their teaching credential through Fortune School of Education and completing a teaching internship at a

network school. Fortune School of Education provides a career path for educators by developing its principals internally through its School Leadership Program. The program leads to an Administrative Services Credential.

Plan for English Learners

The Charter School will meet all applicable legal requirements for English Learners ("EL") as they pertain to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, reclassification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. The Charter School will implement policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents.

HBCP complies with all applicable state and federal laws in regard to services and the education of English Learner students. Specifically, develops, implements and maintains policies and procedures for EL students in accordance with guidelines published by the Office for Civil Rights of the U.S. Department of Education, State and Federal Court decisions and policies, and California Education Code. These policies and procedures:

- Ensure outreach to parents of English Learners, provide training and hold regular meetings to inform them how to be involved in the education of their children;
- Provide all school notices and reports translated into home languages;
- Inform parents of English Learners of the placement of their children in English language classrooms, Structured English Immersion classrooms, and notify them of their opportunity to apply for an exception waiver for their children to participate in an alternative program;
- Properly identify English Learners through the Home Language Survey;
- Assess their English language proficiency through the ELPAC and benchmark testing of English language proficiency;
- Allocate general funds for core instruction of English Learners, as well as categorical funds for services that supplement the core curriculum;
- Develop in compliance with state criteria and regulations, a program informed by a sound educational theory recognized by experts in the field or deemed a legitimate experimental strategy, and ensure that steps are taken to implement effectively the educational theory adopted by the school;
- Examine the program for English Learners for indications that language barriers confronting students are actually being overcome, and modify the program, if needed;
- Place English Learners in classrooms that enable them to have equal access to the Charter School's educational program, and ensure they receive instruction in English Language Development and the core curriculum;
- Ensure that English Learners are taught by qualified staff, have sufficient curricular materials, and the facilities are in a clean and safe condition;
- Develop appropriate evaluation standards, including program exit criteria, for measuring the progress of students;
- All teachers assigned to provide instruction to English Learners will have the appropriate

authorization (CLAD, BCLAD or equivalent).

Strategies for English Learner Instruction and Intervention

English Learners participate in the HBCP core curriculum, with strategic support focused on English Language Development ("ELD"). English Learner instructional materials include:

- Access to core curriculum through Specially Designed Academic Instruction in English (SDAIE).
- Lessons that address the levels of English-language proficiency at every grade level: Level 1 (Beginning to Develop), Level 2 (Somewhat Developed), Level 3 (Moderately Developed), and Level 4 (Well Developed).
- Teacher edition and student materials are focused and efficient to ensure English Learners acquire proficiency in English as quickly and effectively as possible.

In addition, HBCP's standards-based curriculum also meets the needs of English Learners with an emphasis on academic language, vocabulary and concept development, sentence structure, grammar, organization and delivery of oral communication, and speaking applications. Curriculum materials and professional development training provides guidance to teachers on how to instruct English Learners to master the English Language Arts content standards so learners can read, write, comprehend, and speak English for personal use and at the proficient level for academic schoolwork. Teacher and student editions assist English Learners in developing proficiency in the English language and the concepts and skills contained in the Common Core State Standards in English Language Arts. Emphasis is placed on:

- Instruction in the skills that are transferable from students' primary language to English and non-transferable skills
- Acquisition of academic vocabulary
- Phonological, morphological, syntactical, and semantic structures of English

The materials provide explicit, sequential, linguistically logical, and systematic instruction, practice, application and diagnostic support in the following areas:

- Phonemic awareness and phonics
- Word recognition and spelling
- Oral reading fluency
- Vocabulary and morphology
- Grammar and usage
- Listening and reading comprehension
- Sentence structure
- Speaking and Writing

The curriculum adopted by HBCP for ELA and math includes both embedded instructional materials for English development and instructional practices provides support for students to allow them to successfully participate in and progress through the daily lessons from the core programs with their peers. HBCP's core ELA/Humanities, Math and Science curriculums, teachers have access to:

- Visual and concrete representations
- Accessing prior knowledge
- Realia
- Extensive peer discussions
- Graphic Organizers
- Hands on activities

Home Language Survey

The Charter School will administer the home language survey upon a student's initial enrollment into a California public school (on enrollment forms).

English Language Proficiency Assessment

All students who indicate that their home language is other than English will be tested with the English Language Proficiency Assessments for California ("ELPAC"). The ELPAC has four proficiency levels (Level 4: well developed; Level 3: moderately developed; Level 2: somewhat developed; and Level 1: minimally developed) and is aligned with the 2012 California ELD Standards. The Charter School will notify all parents of its responsibility for ELPAC testing and of ELPAC results within thirty days of receiving results from the publisher. The ELPAC shall be used to fulfill the requirements under the Every Student Succeeds Act for annual English proficiency testing.

Reclassification of English Learners

HBCP has developed a policy and procedures for English Learner (EL) reclassification based on the four criteria set forth in Education Code Section 313(f). The following reclassification guidelines will be used by HBCP when evaluating a student's readiness for reclassification from English Learner to Reclassified Fluent English Proficient ("RFEP").

- Assessment of English Proficiency: Review of ELPAC results from annual assessment. Students must score level 4 on ELPAC annual assessments.
- Comparison of Performance in Basic Skills: Review of results of latest benchmark tests in English Language Arts. HBCP will consider English Language Arts performance on statewide assessments and nationally normed interim assessments to determine if English Learners are eligible for reclassification.
- Teacher Evaluation of Student Academic Performance: Review of student's academic performance. Students must meet academic performance indicators established by HBCP. Teachers should consider all academic work in English-Language Arts: class work, curriculum-embedded and informal assessments (formative and summative), and homework.
- Parent or Guardian Opinion or Consultation: HBCP will provide notice to parents and guardians of their rights to participate in the reclassification process. HBCP will encourage parents or guardians to participate in the reclassification process and attend a face-to-face meeting.

Reclassification: HBCP will reclassify any student who meets the above criteria as Reclassified Fluent English Proficient (RFEP). Parents or guardians will be notified of their student's reclassification, and school records will be updated. Upon reclassification of any English Learner to RFEP, HBCP will continue to monitor the

student's progress for two years.

African American Vernacular English

HBCP serves a significant number of students who are speakers of African American Vernacular English ("AAVE"), the linguistic system used by and among many African Americans in everyday life. African American Vernacular English is a term used in the California Curriculum Commission Adoption Criteria. HBCP curriculum, staff development and instruction are designed to ensure that all children, regardless of social, ethnic, or linguistic background, have the ability to read and write English in ways that lead to academic success. The goal remains that all students will learn standard academic English, without a focus on eliminating AAVE.

Children whose speech follow these rules are helped to learn standard academic English by receiving special practice at just those points where their language differs from standard. While there are numerous patterns that are unique to AAVE, HBCP instruction concentrates on those patterns that have the most immediate effect on reading and writing. These patterns include: sounds, pronunciations, consonant clusters, the verb system, the past tense, the possessive system, existential constructions, the plural marking system, and the negative system.

In addition to linguistic patterns and features that impact language and literacy learning for AAVE-speaking children, there are socio-cultural perspectives and attitudes that are taken into consideration. HBCP supports AAVE-speaking students who exhibit resistance to learning standard academic English by helping students to understand that it is possible to acquire mastery of standard academic English without rejecting the language used by their families and community. Students learn that what is appropriate in one setting is not appropriate in another so that they can shift easily and competently between varieties in different social contexts. Teachers deliver the message that non-standard varieties are different, rather than inferior. Standard academic English is taught in a way that respects the richness, legitimacy, and vitality of their home language.

Plan for Serving Students with Disabilities

Overview

In the 2024-2025 school year, HBCP served 30 students with special needs, representing 9% of its student population. Below, please see a snapshot of our current Special Education population:

Table 9: Hardy Brown Students with Disabilities

Primary Disability	Number of Students	Percent of Students
Speech or Language Impairment	11	37%
Specific Learning Disability	8	27%
Other Health Impairment	8	27%
Autism	2	7%
Intellectual Disability	1	3%
Total	30	100%

HBCP will continue to 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 ("IDEA").

HBCP is its own local educational agency ("LEA") and is a member of the El Dorado County Charter Special Education Local Plan Area ("SELPA") in conformity with Education Code Section 47641(a).

HBCP will continue to 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. HBCP is solely responsible for its compliance with Section 504 and the ADA. The facilities to be utilized by HBCP will continue to be accessible for all students with disabilities.

Section 504 of the Rehabilitation Act

Fortune School of Education is committed to providing all students equitable access to its educational programs, consistent with federal civil rights law. In alignment with Section 504, Fortune School of Education's Board of Directors formally adopted a comprehensive Section 504 Policy. (**Appendix 13**)

This Board-adopted policy establishes the procedures for identifying, evaluating, and providing appropriate accommodations and services to students with qualified disabilities. It ensures that Fortune School of Education maintains nondiscriminatory practices, adheres to federally mandated procedural safeguards, and implements a transparent process for parent/guardian participation.

The policy guides consistent implementation across all campuses, including protocols for:

- Referral and evaluation procedures
- Determinations of eligibility
- Development and implementation of Section 504 Accommodation Plans
- Annual reviews and reevaluations
- Protection from discrimination in academic and non-academic settings

By embedding this adopted policy into our operational framework, Fortune School of Education reaffirms its commitment to fostering an inclusive learning environment where all students—regardless of disability—can access and benefit from the full educational program.

HBCP 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 HBCP. A student who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment, is eligible for protections under Section 504.

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 IDEA but found ineligible for special education instruction or related services under the IDEA, those evaluations may be used to help determine eligibility under Section 504. The student evaluation shall be carried out by the 504 team, which 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 including those tailored to assess specific areas of educational need, and not merely those which are designed to provide a single general intelligence 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 IDEA, a referral for assessment under the IDEA 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 a 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 Charter 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, 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.

Services for Students under the "IDEA"

HBCP will continue to provide special education instruction and related services in accordance with the IDEA, Education Code requirements, and applicable policies and practices of the SELPA.

HBCP will continue to provide services for special education students enrolled in HBCP. HBCP will continue to 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 parent complaints, and maintaining the confidentiality of pupil records.

HBCP will continue to promptly respond to all District or SELPA inquiries, to comply with reasonable District or SELPA directives, and to allow the District or SELPA access to Charter School students, staff, facilities, equipment and records as required to fulfill all District obligations under this Agreement or imposed by law.

Staffing

All special education services at HBCP are delivered by individuals or agencies qualified to provide special education services as required by the California Education Code and the IDEA. HBCP verifies that all non-public agencies it contracts with have been certified by the California Department of Education. Charter School staff participate in District or SELPA in-service training relating to special education as appropriate.

HBCP is responsible for the hiring, training, and employment of site staff necessary to provide special education services to its students, including, without limitation, special education teachers, paraprofessionals, and resource specialists. HBCP will continue to ensure that all special education staff hired or contracted by HBCP is qualified pursuant to SEPLA policies, as well as meet all legal requirements. HBCP is responsible for the hiring, training, and employment of itinerant staff necessary to provide special education services to Charter School students, including, without limitation, speech therapists, occupational therapists, behavioral therapists, and psychologists.

Notification and Coordination

HBCP will continue to follow SELPA policies as they apply to all SELPA schools for responding to implementation of special education services. HBCP will continue to adopt and implement policies relating to all special education issues and referrals as appropriate.

Identification and Referral

HBCP is responsible for identifying, referring, and working cooperatively in locating Charter School students who have or may have exceptional needs that qualify them to receive special education services. HBCP will continue to implement SELPA policies and procedures to ensure timely identification and referral of students who have, or may have, such exceptional needs. A pupil shall be referred for special education only after the resources of the regular education program have been considered, and where appropriate, utilized.

HBCP will continue to follow SELPA child-find procedures to identify all students who may require assessment to consider special education eligibility and special education and related services in the case that general education interventions do not provide a free appropriate public education to the student in question.

Student Success Team ("SST")

After HBCP completes the child find procedures, a Student Success Team meeting will be convened. An SST

will include, at a minimum, the parent/guardian, Charter School principal, education specialist, general education teacher, and if/when necessary, a board-certified behavior analyst, school psychologist, or designated instructional service provider. The SST process will have three tiers. In Tier I, in addition to the SST meeting, the student will participate in HBCP's Multi-Tiered System of Support Program, and receive 6 weeks of accommodations/modifications in accordance with student needs identified in the SST meeting.

In Tier 2, after the 6-week period from Tier I has elapsed, a follow-up SST meeting will be held for the student to see if the accommodations/modifications established in Tier I have been successful. At this time, accommodations/modifications may be changed. Tier 2 interventions will be implemented for 6 weeks.

Lastly, in Tier 3, after the 6 week period from Tier 2 has elapsed, a follow up SST meeting will be held for the student. If at this time the accommodations/modifications identified in Tiers 1 and 2 need to be enhanced or are insufficient to meet the needs of the student, the SST will discuss and implement an assessment plan to be signed by the parent/guardian for the student to be evaluated for Special Education Services (Individual Education Plan ("IEP") or a 504 plan).

The assessment process may be expedited based on the needs of individual students. Parent communication will be an ongoing process before, during, and after the SST/IEP process.

Behavior Intervention Plans

HBCP provides a full inclusion program for students with special needs. Students with disabilities will be held to the same behavioral expectations as their general education peers. Students with disabilities who have an IEP may require behavioral accommodations/modifications.

If a student is identified to have behavioral concerns, an SST meeting will be convened. In this meeting, the parent/guardian will be provided with an assessment plan to sign. The assessment plan will consist of a Functional Behavioral Analysis completed by a Board Certified Behavior Analyst ("BCBA"). The assessment may result in a Behavior Intervention Plan. If it is determined that the student qualifies for an IEP, and the behavior plan has not been effective after several attempts and modifications to the plan, an IEP meeting will be convened for the purpose of a manifestation determination in order to discuss appropriate placement to best meet the student's needs.

Disciplinary action will be based on school-wide policy and procedures, in conjunction with the IDEA.

Assessments

The term "assessments" shall have the same meaning as the term "evaluation" in the IDEA, as provided in Section 1414, Title 20 of the United States Code. HBCP will determine what assessments, if any, are necessary and arrange for such assessments for referred or eligible students in accordance with applicable law. HBCP will continue to obtain parent/guardian consent to assess its students.

IEP Meetings

HBCP will continue to arrange and notify the necessary IEP meetings. IEP team membership will continue to be in compliance with state and federal law. HBCP is responsible for having the following individuals in attendance at the IEP meetings: the Principal and/or FSE-designated representative with appropriate

administrative authority as required by the IDEA; the student's special education teacher; the student's general education teacher if the student is or may be in a general education classroom; the student, if appropriate; and other HBCP representatives who are knowledgeable about the general education program at HBCP and/or about the student. HBCP is responsible for arranging for the attendance or participation of all other necessary staff that may include, but are not limited to, an appropriate administrator to comply with the requirements of the IDEA, a speech therapist, psychologist, resource specialist, and behavior specialist; and will continue to document the IEP meeting and provide of notice of parental rights.

IEP Development

HBCP understands that the decisions regarding eligibility, goals/objectives, program, services, placement, and exit from special education are the decision of the IEP team, pursuant to the IEP process. Programs, services and placements are provided to all eligible Charter School students in accordance with the policies, procedures and requirements of the SELPA and State and Federal law. In the case of English Learners, all IEP goals and objectives will be linguistically appropriate. In the goals section of a student's IEP, the box for "linguistically appropriate" will be marked.

IEP Implementation

HBCP is responsible for all school site implementation of the IEP. As part of this responsibility, HBCP provides parents with timely reports on the student's progress as provided in the student's IEP, and at least as frequently as progress reports or report cards are provided for HBCP's non-special education students. HBCP provides all home-school coordination and information exchange. HBCP is responsible for providing all curriculum, classroom materials, classroom modifications, and assistive technology.

Interim and Initial Placements of New Charter School Students

The Charter School shall comply with Education Code Section 56325 with regard to students transferring into the Charter School within the academic school year. In accordance with Education Code Section 56325(a)(1), for students who enroll in the Charter School from another school district within the State, but outside of the SELPA with a current IEP within the same academic year, the Charter School shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved IEP, in consultation with the parent, for a period not to exceed thirty (30) days, by which time the Charter School shall adopt the previously approved IEP or shall develop, adopt, and implement a new IEP that is consistent with federal and state law.

In accordance with Education Code Section 56325(a)(2), in the case of an individual with exceptional needs who has an IEP and transfers into the Charter School from a district operated program under the same special education local plan area of the Charter School within the same academic year, the Charter School shall continue, without delay, to provide services comparable to those described in the existing approved IEP, unless the parent and the Charter School agree to develop, adopt, and implement a new IEP that is consistent with federal and state law.

For students transferring to the Charter School with an IEP from outside of California during the same academic year, the Charter School shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved IEP in consultation with the parents, until

the Charter School conducts an assessment pursuant to paragraph (1) of subsection (a) of Section 1414 of Title 20 of the United States Code, if determined to be necessary by the Charter School, and develops a new IEP, if appropriate that is consistent with federal and state law.

Non-Public Placements/Non-Public Agencies

HBCP is solely responsible for selecting, contracting with, and overseeing all non-public schools and non-public agencies used to serve special education students.

Non-Discrimination

It is understood and agreed that all children have access to HBCP and no student shall be denied admission nor counseled out of HBCP due to the nature, extent, or severity of their disability or due to the student's request for, or actual need for, special education services.

Parent/Guardian Concerns and Complaints

HBCP has adopted policies for responding to parental concerns or complaints related to special education services. HBCP will continue to receive any concerns raised by parents/guardians regarding related services and rights. HBCP's designated representative will continue to investigate as necessary, respond to, and address the parent/guardian concern or complaint.

Due Process Hearings

HBCP may initiate a due process hearing or request for mediation with respect to a student enrolled in the Charter School if it determines such action is legally necessary or advisable. In the event that the parents/guardians file for a due process hearing, or request mediation, HBCP shall defend the case.

SELPA Representation

HBCP will continue to represent itself at all SELPA meetings.

Funding

HBCP understands that it will be subject to the allocation plan of the SELPA.

Educational Partner

The Black Voice News is a weekly newspaper with circulation of 10,000 that has served the Inland Empire's African American community since 1972. Education has long been an emphasis of the paper, celebrating Black achievement and reporting on the achievement gap experienced by African Americans in public schools. Hardy Brown College Prep and Fortune School of Education have developed a partnership with *The Black Voice News*. Named for newspaper publisher Hardy Brown, the Charter School is a community-based effort to improve the quality of education for San Bernardino's lowest performing subgroup of students. As longtime advocates of public education, *The Black Voice News* has lent its full endorsement to this effort to establish college preparatory charter schools to prepare San Bernardino's children for promising and productive futures.

Pursuant to Education Code Sections 47605(c)(5)(A)(ii) and 47605(c)(5)(B), the Charter School's annual goals, actions and measurable outcomes, both schoolwide and for each subgroup of students, which address and align with the Eight State Priorities as described in Education Code Section 52060(d), can be found in the Charter School's Local Control and Accountability Plan ("LCAP") (**Appendix 3**). As this document is revised every 3 years, we will provide an update to this document after each revision to the San Bernardino City Unified School District. Regular revisions to the LCAP shall not be considered material revisions to this charter.

B. MEASURABLE STUDENT OUTCOMES AND OTHER USES OF DATA and C. METHODS BY WHICH PUPIL PROGRESS IS MEASURED

"The measurable pupil outcomes identified for use by the charter school. 'Pupil outcomes,' for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the charter school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all pupil subgroups served by the charter school, as that term is defined in subdivision (a) of Section 52052. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school."

- Education Code Section 47605(c)(5)(B)

"The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card."

-Education Code Section 47605(c)(5)(C)

Goals, Actions and Measurable Outcomes Aligned with the Eight State Priorities

Pursuant to Education Code Sections 47605(c)(5)(A)(ii) and 47605(c)(5)(B), a reasonably comprehensive description of the Charter School's annual goals, actions and measurable outcomes, both schoolwide and for each subgroup of students, in and aligned with the Eight State Priorities as described in Education Code Section 52060(d), can be found in HBCP's LCAP. Each of these goals addresses the unique needs of all students attending the Charter School, including our numerically significant student subgroups. The metrics associated with these goals help the Charter School to ensure that these specific subgroups are making satisfactory progress, and are provided with necessary additional supports made possible by additional funds from the Local Control Funding Formula.

The current LCAP is on file with the District and is also available in the Appendix. The Charter School shall annually update and develop the LCAP in accordance with Education Code Section 47606.5 and shall use the LCAP template adopted by the State Board of Education. The Charter School reserves the right to establish additional and/or amend school-specific goals and corresponding assessments throughout the duration of the charter term through the annual LCAP update. The Charter School shall submit the LCAP to the District and County Superintendent of Schools annually on or before July 1, as required by Education Code Section 47604.33. The Charter School shall also present a report on the annual update to the LCAP and the local control funding formula budget overview for parents on or before February 28 of each year as part of a nonconsent item at a regularly scheduled Board meeting.

The LCAP and any revisions necessary to implement the LCAP shall not be considered a material revision to the charter, and shall be maintained by the Charter School at the school site.

This table summarizes how HBCP measures student outcomes:

Assessment	Grades	Time of Year
California Assessment of Student Performance and Progress (CAASPP) Summative Assessments in ELA and Math	3-8	May/June
California Science Test (CAST)	5 and 8	May/June
English Language Proficiency Assessments for California (ELPAC) Summative Assessments	K-8	Feb-Apr
iReady Diagnostic Interim Assessments	TK-8	Aug, Dec, Apr
California Assessment of Student Performance and Progress (CAASPP) Interim Assessment Blocks (IABs)	3-8	Jan-Apr

D. GOVERNANCE STRUCTURE

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

-Education Code Section 47605(c)(5)(D)

Non-Profit Public Benefit Corporation

Hardy Brown College Prep is a directly funded independent charter school operated by Fortune School of Education, a California Non-Profit Public Benefit Corporation, pursuant to California law upon approval of this charter.

HBCP operates autonomously from the District, with the exception of the supervisory oversight as required by statute and other contracted services as may be negotiated between the District and the Charter School. Pursuant to Education Code Section 47604(d), the District shall not be liable for the debts and obligations of the Charter School, operated by a California non-profit public benefit corporation, or for claims arising from the performance of acts, errors, or omissions by the Charter School, as long as the District has complied with all oversight responsibilities required by law.

As a non-profit corporation, Fortune School of Education will not operate to the private benefit of any individual or group of individuals, and will instead operate for the benefit of the California public school students it serves.

Attached, please find the Charter School Articles of Incorporation (**Appendix 4**), Corporate Bylaws

(**Appendix 5**), and Conflict of Interest Code (**Appendix 6**).

Board of Directors

HBCP is governed by the FSE Board of Directors ("Board" or "Board of Directors") in accordance with its adopted bylaws, which are consistent with the terms of this charter. FSE will continue to comply with the Brown Act (Government Code Section 54950, *et seq*.), the Political Reform Act (Government Code Section 87100, *et seq*.), and Government Code Section 1090, *et seq,* as set forth in Education Code Section 47604.1. The FSE Board shall have five (5) to seven (7) directors. All FSE directors are designated at FSE's annual meeting of the Board of Directors. Each director holds office unless otherwise removed from office in accordance with the FSE bylaws for a term of two (2) years and until a successor director has been appointed. The FSE Board of Directors is currently comprised of the following directors:

Dr. Dimitrious Chattman, Assistant Director of California Recruitment, Cal Poly San Luis Obispo Ms. Bertha Gorman, Associate Secretary (Ret.), California State Health & Human Services Agency Mr. Scott Loehr, Superintendent, Center Joint Unified School District
Ms. Carolyn Mullins, Executive Director, Human Resources (Ret.), AT&T
Ms. Joette Spencer-Campbell, Founding Member, Concerned African American Parents Alliance

FSE Board Meetings and Duties

The Board of Directors of the Charter School meet regularly, at least quarterly and in accordance with the Brown Act and Education Code Section 47604.1(c). The Board of Directors is fully responsible for the operation and fiscal affairs of the Charter School including, but not limited to, the following:

- Hire, supervise, evaluate, discipline, and dismissal of the President/Chief Executive Officer of FSE;
- Approve all contractual agreements including and over $100,000;
- Approve and monitor the implementation of general policies of the Charter School. This includes effective human resource policies for career growth and compensation of the staff;
- Approve and monitor the Charter School's annual budget and budget revisions;
- Act as a fiscal agent. This includes but is not limited to the receipt of funds for the operation of Fortune School of Education in accordance with applicable laws and the receipt of grants and donations consistent with the mission of Fortune School of Education;
- Contract with an external independent auditor to produce an annual financial audit according to generally accepted accounting practices;
- Establish operational committees as needed;
- Regularly measure progress of both student and staff performance;
- Involve parents and the community in school-related programs;
- Execute all applicable responsibilities provided for in the California Corporations Code;
- Engage in ongoing strategic planning; Approve the school calendar and schedule of Board meetings;
- Participate in the dispute resolution procedure and complaint procedures when necessary;
- Approve charter amendments as necessary and submit requests for material revisions as necessary to SBCUSD for consideration;
- Approve annual independent fiscal audit and performance report;
- Appoint an administrative panel or act as a hearing body and take action on recommended student expulsions.

The Board may initiate and carry on any program or activity or may otherwise act in a manner which is not in conflict with or inconsistent with or preempted by any law and which are not in conflict with this charter or the purposes for which schools are established.

FSE has adopted a Conflict of Interest Code that complies with the Political Reform Act, Government Code Section 1090, *et seq.*, as set forth in Education Code Section 47604.1, and Corporations Code conflict of interest rules, and which shall be updated with any charter school specific conflict of interest laws or regulations. As required, the Conflict of Interest Code has been submitted to the County Board of Supervisors for approval.

The Board may execute any powers delegated by law to it and shall discharge any duty imposed by law upon it and may delegate to an employee of the Charter School any of those duties with the exception of budget approval or revision, approval of the fiscal audit and performance report, and the adoption of Board policies. The Board however, retains ultimate responsibility over the performance of those powers or duties so delegated. Such delegation will:

- Be in writing;
- Specify the entity designated;
- Describe in specific terms the authority of the Board of Directors being delegated, any conditions on the delegated authority or its exercise and the beginning and ending dates of the delegation; and
- Require an affirmative vote of a majority of Board members.

Board Training and Sustainability

HBCP is committed to continuous improvement and ongoing training to assist the FSE Board in fulfilling its responsibilities to act as the steward of HBCP. To this end, the FSE Board participates in appropriate training and educational opportunities to more effectively govern HBCP's operations. Such training experiences include individual training sessions with legal counsel or other experts familiar with public school governance, and/or training sessions with charter school governance experts. Such trainings or professional development are made available to individual Board Members to enhance skills they need to effectively perform a critical role on the FSE Board's behalf, or include full Board training and professional development on matters applicable to the full Board. This includes, for example, training on open meetings laws, conflicts of interest procedures and protocol, disclosure of public records, fiscal oversight and management, oversight of employment programs, and academic program operation and accountability to be sure the Board is fulfilling its oversight responsibilities with fitness.

Selection of FSE Board Members

All FSE Board Members have full voting rights. The Board of Directors shall have the power to appoint and remove, at the pleasure of the Board of Directors, members of the Board of Directors of Fortune School of Education, pursuant to the Corporate Bylaws.

FSE Administration

President/CEO

The President/CEO is the general manager of FSE and shall supervise, direct, and control the corporation's activities, affairs, and officers as fully described in any applicable employment contract, agreement or job specification. The President/CEO has other such powers and duties as the Board of Directors or the FSE bylaws require. The President/CEO presides at the Board of Directors' meetings.

Chief Financial Officer ("CFO")

The CFO keeps and maintains, or causes to be kept and maintained, adequate and correct books and accounts of FSE's properties and transactions. The CFO sends or causes to be given to directors such financial statements and reports as are required to be given by law, by the FSE bylaws, or by the FSE Board. The books of account are open to inspection by any director at all reasonable times.

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

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

Chief Operating Officer ("COO")

The COO is responsible for all administrative operations at FSE's charter schools including facilities management, human resources, legal affairs, information technology, branding, credentialing and procurement. The COO also directs professional development of operational staff at the school sites.

The COO is responsible for staffing and human resources of FSE. The COO or his/her designee provides support to the Principals to evaluate, train and discipline employees of Fortune School of Education. In addition, the COO ensures that all employees of Fortune School of Education hold the valid credentials and clear the appropriate background checks as required by state and federal law.

Chief Academic Officer ("CAO")

The CAO is responsible for overseeing the instructional program and student academic performance at HBCP. In addition, the CAO is responsible for providing professional development for teachers at HBCP, including in the use of state-adopted instructional materials and data-driven instruction.

Charter School Administration

Principal

The Principal is the leader of the Charter School. The Principal ensures that the curriculum is implemented in order to maximize student learning experiences. The Principal reports directly to the Chief Academic Officer, and is responsible for the orderly operation of HBCP and the supervision of all employees in the Charter School. The Principal manages the day-to-day operations of the Charter School. The Principal provides input to the Chief Academic Officer and Director of Human Resources for all hiring and evaluation of faculty and staff and all personnel discipline. The Principal is responsible for the implementation of all FSE Board policies and procedures, including, but not limited to organization of all instruction, academic support, and health and counseling services for all students.

The Principal performs assigned tasks as directed by their supervisor and is required to undertake some or all of the tasks detailed below. These tasks may include, but are not limited to, the following:

- Ensure HBCP enacts its mission;
- Supervise and evaluate teachers and staff;
- Provide reports to the FSE Board of Directors;
- Manage school finances to ensure financial stability;
- Participate in and develop professional development workshops as needed;
- Serve or appoint a designee to serve on any committees of the Charter School;
- Interview and recommend employee hiring, promotion, discipline, and/or dismissal;
- Ensure compliance with all applicable state and federal laws and help secure local grants;
- Communicate with parents, recruit new families and students, and assure families of academic growth;
- Take responsible steps to secure full and regular attendance at school of the students enrolled in accordance with policies established by the Board of Directors;
- Complete and submit required documents as requested or required by the charter and/or FSE Board of Directors and/or the District;
- Identify the staffing needs of the Charter School and offer staff development as needed;
- Maintain up-to-date financial records;
- Ensure that appropriate evaluation techniques are used for both students and staff;
- Establish and maintain a system to handle organizational tasks such as student records, teacher records, teacher credentialing information, contemporaneous attendance logs, purchasing, budgets, and timetables;
- Ensure the security of the school building;
- Encourage and support teacher professional development;
- Provide all necessary financial reports as required for proper attendance reporting;
- Manage student discipline, and, as necessary, participate in the suspension and expulsion process;
- Participate in IEP meetings as necessary.

The Charter School is a Viable Enterprise

HBCP is a viable enterprise as evidenced by its healthy fund balance as reported in the Audit Report (**Appendix 10**). The budget projects that we will continue to add to that fund balance over the term of the charter renewal.

Parent Involvement in Governance

One goal of HBCPs is to empower parents as educational partners. Parents should feel that their voice and participation influence the development of the Charter School and its components. Parents will continue to have the opportunity to participate in a variety of meaningful ways at HBCP. Parents will continue to be members of the School Site Council ("SSC") and will continue to be encouraged to participate in the School Site Council meetings.

In order to ensure significant parent involvement, HBCP will continue to encourage the development of parent-based groups. These groups are responsible for recruiting parents in school activities for the purpose of strengthening the community. All parents and guardians will continue to be encouraged to attend parent-led meetings.

School Site Council

HBCP has a School Site Council ("SSC"). The SSC provides input to the FSE Board of Directors and Administration on the operations of HBCP by fulfilling their role in completing the LCAP and Title 1 governance requirements. It reviews and provides input on policies and procedures for expulsions, curriculum, fundraising and governance. School Site Council membership remains consistent with the requirements of Education Code, which includes parents elected by their peers.

Parent Education and Participation

Studies have shown that students whose parents are involved in their education generally have higher grades and test scores, better attendance, more consistently complete homework, higher graduation rates and greater enrollment in postsecondary education.[2] HBCP parents are actively involved in the education of students. HBCP fosters a climate of parent volunteerism. After signing a "Commitment to Excellence Contract", parents are encouraged to complete 40 hours of completely voluntary service each academic year. There is no consequence to families if parents do not complete voluntary parent service hours. Parent volunteerism is, however, an important part of HBCP's approach to closing the achievement gap and we stand behind it as a part of our culture that calls for parents to accept responsibility for the education of their children.

The Charter School coordinates a rich program of parent involvement that includes creating a welcoming environment for parents. Front office staff complete customer service training focused on providing excellent customer service, learning parent names, and having difficult conversations in a respectful way. The school staff creates and implements a program of parent engagement including parent meetings, a schedule of seasonal activities and parent groups like Donuts for Dads and Muffins for Moms. The Charter School publishes parent newsletters and communicates using social media. The Charter School also partners

with

community-based organizations to provide parent education.

[2] The National PTA. *Building Successful Partnerships*. Bloomington: National Education Service, 2000. 12.

E. EMPLOYEE QUALIFICATIONS

"The qualifications to be met by individuals to be employed by the charter school."

-Education Code section 47605(c)(5)(E)

Selection and appointment of HBCP employees is the exclusive prerogative of FSE. FSE holds hiring and termination authority for all HBCP staff, and sets the terms and conditions of employment, within the parameters of the FSE policies and procedures. FSE does not and will not discriminate against any applicant on the basis of their race, creed, color, national origin, age, gender, disability or any other basis prohibited by law. All candidates will continue to be required to show evidence of compliance with the California criminal clearance process as required by Education Code Section 44237 and 41525.1. Certificated employees will continue to meet the credential requirements for charter schools established in Education Code. All teachers assigned to provide instruction to English Learners will have the appropriate authorization (CLAD, BCLAD or equivalent).

Staffing Plan

Please see job descriptions in **Appendix 7**.

STAFFING PLAN

	2026-2027	2027-2028	2028-2029
Principal	1	1	1
Assistant Principal	1	1	1
Multiple Subject Teacher	9	9	9
Education Specialist	1.6875	1.6875	1.6875
English/ELD Teacher	1	1	1
Math Teacher	1	1	1
Science Teacher	1	1	1
Physical Ed Teacher	1	1	1
Humanities Teacher	1	1	1
Music Teacher	.5	.5	.5
Art Teacher	1	1	1
Office Manager	1	1	1
School Secretary	1	1	1
Food Service Coordinator	1	1	1
Food Service Aide	.5	.5	.5
Custodian	2	2	2
Instructional Aide	7.33125	7.33125	7.33125
Behavior Technician	2	2	2
Excursions Site Lead	1	1	1
Excursions Aide	3.5	3.5	3.5
TOTAL	38.52	38.52	38.52

NOTE: The following positions are part of the organization's Special Education Department, providing services to the Charter School in addition to the positions listed above: Director of Special Education, Psychologist, Occupational Therapist, Speech Pathologist, Speech Assistant, and Counselor.

F. HEALTH AND SAFETY PROCEDURES

"The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These

procedures shall require all of the following:

(i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.

(ii) The development of a school safety plan, and the annual review and update of the plan, pursuant to Section 47606.3."

-Education Code Section 47605(c)(5)(F)

HBCP believes that it is our responsibility to nurture not only the students' minds but also their emotional and physical well-being. HBCP implements a comprehensive set of health, safety, and risk management policies. In general, health and safety matters are dealt with in accordance with these policies. These policies have been developed in consultation with the Charter School's insurance carriers and at a minimum will address the topics described below. These policies and procedures are incorporated as appropriate into the Charter School's Scholar-Parent Handbook and HBCP's School Safety Plan (**Appendix 14**) and are reviewed on an ongoing basis in the Charter School's staff development efforts and governing board policies. Specifically, these policies and procedures address the following topics:

Procedures for Background Checks

Employees and contractors of the Charter School will be required to submit to a criminal background check and furnish a criminal record summary as required by Education Code Sections 44237 and 45125.1. Applicants for employment must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The Charter School shall not hire any person, in either a certificated or classified position, who has been convicted of a violent or serious felony except as otherwise provided by law, pursuant to Education Code Sections 44830.1 and 45122.1. The Director of Human Resources shall monitor compliance with this policy and report to the FSE Board on a regular basis. The process must be completed before the employee's start date. If the candidate is not cleared, they will not be eligible for employment. Volunteers who will volunteer outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

Student Health

HBCP works to ensure every student in the Charter School receives proper health care. We have developed a plan to have referral services available to offer low-cost health care to its students and families who are uninsured.

Drug-, Alcohol-, and Smoke-Free Environment

HBCP shall function as a drug-, alcohol-, and smoke-free environment.

Bloodborne Pathogens

HBCP implements policies relating to preventing contact with blood-borne pathogens. The Principal, with support from Fortune School of Education, ensures the Charter School meets state and federal standards for dealing with bloodborne pathogens and other potentially infectious materials in the workplace. HBCP has established a written "Exposure Control Plan" designed to protect employees from possible infection due to contact with blood-borne 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 follow the latest medical protocol for disinfecting procedures.

Facility Safety

The Charter School shall comply with Education Code Section 47610 by utilizing facilities that are either compliant with the Field Act or facilities that are compliant with the California Building Standards Code. The Charter School agrees to test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times. The Charter School shall conduct fire drills as required under Education Code Section 32001.

Role of Staff as Mandated Child Abuse Reporters

HBCP maintains detailed policies and procedures for the immediate reporting of suspected child abuse, acts of violence, or other improprieties. All employees will be mandated child abuse reporters and will follow all applicable reporting laws, the same policies and procedures used by the District. The Charter School shall provide mandated reporter training to all employees annually in accordance with Education Code Section 44691.

Immunizations and Health Screening

All enrolled students who receive classroom-based instruction will be required to provide records documenting immunizations as is required at public schools pursuant to Health and Safety Code Sections 120325-120375 and Title 17, California Code of Regulations Sections 6000-60075. All rising 7th grade students must be immunized with a pertussis (whooping cough) vaccine booster.

Immunization forms and other pertinent medical records are kept on file confidentially by the Charter School administration. Parents are expected to ensure that their children obtain proper immunizations prior to matriculating pursuant to Chapter 1 (commencing with §120325) of Part 2 of Division 105 of the Health and Safety Code. The Charter School may exempt students from enrolling who are not properly immunized pursuant to §Section 48216 *et seq.* of the Education Code. Those parents who are having difficulty obtaining immunizations for their children are provided information on where to get immunized in their community.

Documentation is on file in the student's records or employee records held in security at the Charter School's primary administrative office. Copies of employee records and student records can be made available at the request of the District.

Medication in School

The Charter School will adhere to Education Code Section 49423 regarding administration of medication in school. The Charter School will adhere to Education Code Section 49414 regarding epinephrine auto-injectors and training for staff members; per AB 1651 (2023), the Charter School shall store emergency epinephrine auto-injectors in an accessible location upon need for emergency use and include that location in annual notices required by law. To the extent the Charter School maintains a stock of albuterol inhalers to respond to respiratory distress in students, the Charter School shall comply with the requirements of Education Code Section 49414.7, including with respect to training, notices, and the stocking of albuterol inhalers.

Vision, Hearing, and Scoliosis

Students will be screened for vision, hearing and scoliosis. The Charter School will adhere to Education Code Section 49450 *et seq.* as applicable to the grade levels served by the Charter School.

Tuberculosis Risk Assessment and Examination

Employees, and volunteers who have frequent or prolonged contact with students, will be assessed and examined (if necessary) for tuberculosis prior to commencing employment and working with students, and for employees at least once every four (4) years thereafter, as required by Education Code Section 49406. HBCP provides notification to employees and volunteers with sufficient advanced notice to enable those individuals to complete their mandatory tuberculosis screening in a timely manner.

Diabetes

HBCP will make type 1 diabetes informational materials accessible to the parent or guardian of a pupil when the pupil is first enrolled in elementary school. HBCP provides an information sheet regarding type 2 diabetes to the parent or guardian of incoming 7th grade students, pursuant to Education Code Section 49452.7. The information sheet includes all of the following information:

1. A description of Type 2 diabetes.
2. A description of the risk factors and warning signs associated with type 2 diabetes.
3. A recommendation that students displaying or possibly suffering from risk factors or warning signs associated with type 2 diabetes should be screened for type 2 diabetes.
4. A description of treatments and prevention methods of type 2 diabetes.
5. A description of the different types of diabetes screening tests available.

Suicide Prevention Policy

The Charter School has adopted a policy on student suicide prevention in accordance with Education Code Section 215. The Charter School shall review, at minimum every fifth year, its policy on pupil suicide prevention and, if necessary, update its policy. Pursuant to AB 58 (2021-22), the Charter School will also review and update its suicide prevention policy to incorporate best practices identified by the California Department of Education's model policy, as revised.

Prevention of Human Trafficking

The Charter School shall identify and implement the most appropriate methods of informing parents and guardians of students in grades 6 through 8 of human trafficking prevention resources.

Menstrual Products

The Charter School shall stock the school's restrooms at all times with an adequate supply of menstrual products, available and accessible, free of cost, in all women's restrooms and all-gender restrooms, and in at least one men's restroom. The Charter School shall post a notice regarding the requirements of Education Code Section 35292.6 in a prominent and conspicuous location in every restroom required to stock menstrual products, as specified. This notice shall include the text of Education Code Section 35292.6 and contact information, including an email address and telephone number, for a designated individual responsible for maintaining the requisite supply of menstrual products.

All Gender Restrooms

On or before July 1, 2026, the Charter School shall provide and maintain at least one all-gender restroom for voluntary student use at each of its school sites that has more than one female restroom and more than one male restroom designated exclusively for student use. The restroom shall have signage identifying the bathroom as being open to all genders, it shall remain unlocked, unobstructed, and easily accessible by any student, and be available during school hours and school functions when students are present. The Charter School shall designate a staff member to serve as a point of contact and to post a notice regarding these requirements.

School Meals

The Charter School shall provide breakfast and lunch free of charge during each school day to any pupil who requests a meal without consideration of the pupil's eligibility for a federally funded free or reduced-price meal, with a maximum of one free meal for each service period. The meals provided under this paragraph shall be nutritionally adequate meals that qualify for federal reimbursement. The Charter School shall provide each student adequate time to eat as determined by the Charter School in consideration of available guidance.

Recess

Except where a field trip or other educational program is taking place, if the Charter School provides recess, to the extent required by Education Code Section 49056, the Charter School shall provide supervised and unstructured recess, distinct from physical education courses and mealtimes, of at least 30 minutes on regular instructional days and at least 15 minutes on early release days. The Charter School shall not restrict a student's recess unless there is an immediate threat to the physical safety of the student or one or more of their peers.

California Health Youth Act (CHYA)

The Charter School shall teach sexual health education and HIV prevention education to students in grades 7-8, at least once in middle school, pursuant to the CHYA (Education Code Section 51930, *et seq.*).

Mental Health Education

If the Charter School offers one or more courses in health education to students in middle school, the Charter School shall include in those courses instruction in mental health that meets the requirements of Education Code Section 51925, *et seq.*

Mental Health Information

The Charter School shall create and post a poster at the school site identifying approaches and resources addressing student mental health in compliance with Education Code Section 49428.5. The poster shall be displayed in English and the primary language(s) spoken by 15 percent or more of students enrolled at the school site. The poster shall be prominently and conspicuously displayed in appropriate public areas that are accessible to, and commonly frequented by, students at the school site. The poster shall also be digitized and distributed online to students through social media, internet websites, portals, and learning platforms at the beginning of each school year.

School Safety Plan

The Charter School shall adopt a School Safety Plan, to be reviewed and updated by March 1 of every year, which shall include, identification of appropriate strategies and programs that will provide or maintain a high level of school safety and address the Charter School's procedures for complying with applicable laws related to school safety, including the development of all of the following pursuant to Education Code Section 32282(a)(2)(A)-(O):

a. child abuse reporting procedures

b. routine and emergency disaster procedures

c. policies for students who committed an act under Education Code Section 48915 and other Charter School-designated serious acts leading to suspension, expulsion, or mandatory expulsion recommendations

d. procedures to notify teachers of dangerous students pursuant to Education Code Section 49079

e. a discrimination and harassment policy consistent with Education Code Section 200

f. provisions of any schoolwide dress code that prohibits students from wearing "gang-related apparel," if applicable

g. procedures for safe ingress and egress of students, parents, and employees to and from the Charter School

h. a safe and orderly environment conducive to learning

i. the rules and procedures on school discipline adopted pursuant to Education Code Sections 35291, 35291.5, 47605, and 47605.6

j. procedures for conducting tactical responses to criminal incidents

k. procedures to prepare for active shooters or other armed assailants by conducting a drill, if this topic is covered in the School Safety Plan

l. procedures to assess and respond to reports of any dangerous, violent, or unlawful activity that is being conducted or threatened to be conducted at the school, at an activity sponsored by the school, or on a school bus serving the school

m. procedures to respond to incidents involving an individual experiencing a sudden cardiac arrest

or a similar life-threatening medical emergency while on school grounds

n. procedures specifically designed to notify parents and guardians of students, teachers, administrators, and school personnel when the school confirms the presence of immigration enforcement on the school site

o. a protocol in the event a pupil is suffering or is reasonably believed to be suffering from an opioid overdose

The School Safety Plan shall be drafted specifically to the needs of the facility in conjunction with law enforcement and the Fire Marshal. Staff shall receive training in emergency response, including appropriate "first responder" training or its equivalent.

Disaster procedures included in the School Safety Plan shall address and include adaptations for students with disabilities. To the extent an employee, parent/guardian, educational rights holder, or student brings concerns regarding the procedures to the principal and, if there is merit to the concern, the principal shall direct the School Safety Plan to be modified accordingly.

The Charter School shall develop an instructional continuity plan, consistent with Education Code Section 32282(a)(3), to establish communication with students and their families and provide instruction to students when in-person instruction is disrupted due to an emergency pursuant to Education Code Sections 41422 or 46392(a).

Workplace Violence Prevention Plan

The Charter School shall establish, implement, and maintain, at all times in all work areas, an effective workplace violence prevention plan consistent with the requirements of Labor Code Section 6401.9.

Comprehensive Anti-Discrimination and Harassment

HBCP is committed to providing schools that are free from discrimination and sexual harassment, as well as any harassment based upon the actual or perceived characteristics of race, religion, creed, color, gender, gender identity, gender expression, nationality, national origin, ancestry, ethnic group identification, genetic information, age, medical condition, marital status, sexual orientation, sex and pregnancy, physical or mental disability, childbirth or related medical conditions, military and veteran status, denial of family and medical care leave, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by federal, state, local law, ordinance or regulation. Fortune School of Education has developed a comprehensive policy to prevent and immediately remediate any concerns about discrimination or harassment at the Charter School (including employee to employee, employee to student, and student to employee misconduct). Misconduct of this nature is very serious and will be addressed in accordance with Fortune School of Education's anti-discrimination and harassment policies.

A copy of the policy shall be provided as part of any orientation program conducted for new and continuing students at the beginning of each quarter, semester, or summer session, as applicable, and to each faculty

member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year, or at the time that there is a new employee hired.

Bullying Prevention

The Charter School shall adopt procedures for preventing acts of bullying, including cyberbullying. The Charter School shall annually make available the online training module developed by the CDE pursuant to Education Code Section 32283.5(a) to certificated school site employees and all other school site employees who have regular interaction with children.

Supporting LGBTQ Students

Through the completion of the 2029-30 school year, the charter school shall use an online training delivery platform and curriculum to provide at least one hour of required LGBTQ cultural competency training annually to teachers and other certificated employees and maintain records of such training as required by Education Code Section 218.

SAFETY Act

The Charter School shall comply with all requirements under Education Code Sections 49390-49395 regarding mandatory reporting in response to homicidal threats. All employees and Board members who are alerted to or who observe any threat or perceived threat in writing or through an action of a student that creates a reasonable suspicion that the student is preparing to commit a homicidal act related to school or a school activity shall make a report to law enforcement.

Homicide Threats

The Charter School shall comply with all requirements under Education Code Sections 49390-49395 regarding mandatory reporting in response to homicidal threats. All employees and Board members who are alerted to or who observe any threat or perceived threat in writing or through an action of a student that creates a reasonable suspicion that the student is preparing to commit a homicidal act related to school or a school activity shall make a report to law enforcement.

Gun Safety Notice

At the beginning of the first semester, the Charter School shall distribute a notice to the parents/guardians of each student addressing California's child gun access prevention laws and laws related to firearm safety utilizing the most updated model language published by the California Department of Education.

Athletic Programs

The Charter School shall comply with all applicable laws related to health and safety policies and procedures surrounding athletic programs at charter schools, including but not limited to providing information to athletes regarding sudden cardiac arrest and annually providing each athlete an Opioid Factsheet for Patients.

Transportation Services

The Charter School shall comply with the requirements of SB 88 (2023-24) inclusive of Education Code

Sections 39875, 39877, 39878, and 39879, as applicable, relating to background checks, testing, and other

requirements for individuals and entities providing transportation services for students.

Extreme Weather Policy

On or before July 1, 2026, the Charter School will develop, adopt, and implement a weather policy that includes protocols for extreme weather conditions, and incorporate the standardized guidelines developed by the CDE.

G. STUDENT POPULATION BALANCE

"The means by which the charter school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils, as defined by the evaluation rubrics in Section 52064, that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted."

-Education Code Section 47605(c)(5)(G)

Hardy Brown College Prep has implemented a student recruitment strategy that is represented by, but is not necessarily limited to, a combination of the following elements or strategies, ensuring a diverse student body and a balance of racial and ethnic pupils, special education pupils, and English Learner pupils, including redesignated fluent English proficient pupils that is reflective of the District:

- An enrollment process with 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, special education and English learner groups represented in San Bernardino City Unified School District.
- The distribution of promotional and informational materials to a broad variety of community groups and agencies.
- Outreach meetings, reaching prospective students and parents. FSE keeps a record of the number and location of these community presentations.
- Use of brochures, newsletter, TV/radio public service announcements, print and non-print media for outreach communications.
- Collaboration with community-based organizations to support outreach efforts.

H. ADMISSIONS POLICIES AND PROCEDURES

"Admission policies and procedures, consistent with [Education Code Section 47605] subdivision (e)."
-Education Code section 47605(c)(5)(H)

Student Admission Policies and Procedures

HBCP will continue to actively recruit a diverse student population. Admission is open to any California resident, and the Charter School shall not discriminate against any student based upon any of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender identity, gender expression, 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, including immigration status, or association with an individual who has any of the aforementioned characteristics). The Charter School will be nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition.

The Charter School shall admit all pupils who wish to attend the Charter School. No test or assessment shall be administered to students prior to acceptance and enrollment into the Charter School. The Charter School will comply with all laws establishing minimum and maximum age for public school attendance in charter schools. Admission, except in the case of a public random drawing, shall not be determined by the place of residence of the pupil or his or her parent or legal guardian within the state. In accordance with Education Code Sections 49011 and 47605.6(e)(2)(B)(iv), admission preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

In accordance with Education Code Section 47605.6(e)(4)(A), the Charter School shall not discourage a pupil from enrolling or seeking to enroll in the charter school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code Section 47605.6(e)(2)(B)(iii), including pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation. Similarly, in accordance with Section 47605.6(e)(4)(C), the Charter School shall not encourage a pupil currently attending the Charter School to disenroll from the Charter School or transfer to another school for any reason, including, but not limited to the academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code Section 47605.6(e)(2)(B)(iii), as listed above. Immunization and other records will not be required from homeless and/or foster youth prior to admission or enrollment.

Pursuant to Education Code Section 47605.6(e)(4)(D), the Charter School shall post a notice developed by the CDE on the Charter School website, outlining the requirements of Section 47605.6(e)(4), and make this notice available to parents.

HBCP seeks to enroll students committed to a rigorous educational experience. Families who understand

and value HBCP's mission and will commit to HBCP's instructional and operational philosophy are actively

recruited. Prospective students and their parents or guardians are provided information regarding the Charter School's instructional and operational philosophy and are informed of the Charter School's student-related policies.

In order for students to be enrolled in HBCP, they must first fill out a Student Application (**Appendix 12**) in concert with their parents/guardians and submit the application during a publicly advertised open enrollment period each year for enrollment in the following school year. The Charter School shall not request a pupil's records or require a parent, guardian, or pupil to submit the pupil's records to the Charter School before enrollment. HBCP shall follow the procedures outlined below if a public random drawing ("lottery") is required to determine admission to the Charter School.

Admitted students and their parents/guardians are required to take part in an orientation session that will introduce HBCP's philosophical and operational underpinnings and policies. Orientation sessions are offered across multiple days and times to accommodate the varying schedules of students and their parents/guardians. At orientation, students and parents/guardians are asked to sign an annual parent/student contract to acknowledge that they understand and support HBCP's outcomes, philosophy, program and any other applicable requirements. Though parents/guardians will be strongly encouraged to sign the contract, a student is not penalized if the student's parent/guardian does not sign the contract or fulfill its terms.

Lottery - Public Random Drawing

If the number of applications does not exceed the capacity of HBCP, there will be no lottery, and all students who submitted complete applications are enrolled. In the event that the number of students seeking admission to any grade level exceeds capacity, a lottery is held. The Board of Directors will take all necessary efforts to ensure lottery procedures are fairly executed.

The lottery is held in a public forum. Separate lotteries shall be conducted for each grade in which there are fewer vacancies than pupils interested in attending. All lotteries shall take place on the same day in a single location. All names exceeding the number of available spaces are placed on a waiting list in the order drawn.

In the event of a public random drawing, admission preference will be given in the following order:

(1) Children and grandchildren of founding members of Hardy Brown College Prep identified in the charter, not constituting more than 10% of the Charter School's enrollment;
(2) Children of FSE employees, not constituting more than 10% of the Charter School's enrollment;
(3) Siblings of students admitted to or attending the Charter School;
(4) Residents of the District;
(5) All other applicants.

The Charter School and the District agree to adhere to the requirements related to admission preferences as set forth in Education Code Section 47605(e)(2)(B)(i)-(iv).

The lottery process will continue until all applicants have been assigned a number for admission. Applicants who are not admitted will be placed on a waiting list in the order in which they were selected in the lottery..

After the lottery, families receive their official enrollment forms and are informed of the enrollment process detailed in HBCP's policies and procedures. Existing students do not participate in the random drawing, as they are automatically reserved a space for the following year.

Admission is not based on prior student performance or admission testing.

Recruiting and Admissions Cycle

HBCP has established an annual recruiting and admissions cycle, which includes reasonable time for all of the following: (1) outreach and marketing, (2) orientation sessions for students and parents, (3) an open enrollment period, (4) an admissions lottery, if necessary, and (5) enrollment. HBCP will continue to fill vacancies or openings that become available after this process using a waiting list. HBCP will continue to admit students at any time during the school year on an open-ended basis in a manner that best serves the needs of students.

Timeline for Recruiting and Enrollment

Applications for admission are due by the second Friday in February. HBCP holds parent information meetings for parents to learn more about the Charter School as they apply.

Attendance Tracking

HBCP recognizes that the most important factor in student achievement is that students are at school every day. HBCP uses Aeries for its student information system. Aeries allows school staff to track student attendance by teachers taking role at the beginning of each school day. HBCP uses ParentSquare to send messages for students not at school. Aeries is accessible for parents to monitor their child(ren)'s attendance. Additionally, HBCP sends letters to families of truant scholars as part of its Board-adopted attendance policy. Families receive letters after scholars are truant 1, 3, 5, 11, and 18 times. After 5 truancies families are also invited to a virtual School Attendance Review Team (SART) meeting, and after 18 truancies families are eligible for a School Attendance Review Board (SARB) meeting.

I. ANNUAL INDEPENDENT FINANCIAL AUDITS

"The manner in which annual, independent, financial audits 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."

-Education Code Section 47605(c)(5)(I)

An annual independent financial audit of the books and records of the Charter School is conducted as required by Education Code Sections 47605(b)(5)(I) and 47605(m). The books and records of the Charter School are kept in accordance with generally accepted accounting principles and, as required by applicable law, the audit employs generally accepted accounting procedures. The audit is conducted in accordance with applicable provisions within the California Code of Regulations governing audits of charter schools as published in the State Controller's K-12 Audit Guide.

The Chief Financial Officer selects an independent auditor that is approved by the Board of Directors. The auditor is required to have, at a minimum, a CPA and educational institution audit experience and must be approved by the State Controller on its published list as an educational audit provider. To the extent required under applicable federal law, the audit scope is expanded to include items and processes specified in applicable Office of Management and Budget Circulars.

The annual audit is completed and forwarded to the District, the County Superintendent of Schools, the State Controller, and the CDE by December 15th of each year. The audit committee reviews any audit exceptions or deficiencies and reports to the FSE Board with recommendations on how to resolve them. The FSE Board will submit a report to the District describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the District, along with an anticipated timeline for the same. Audit appeals or requests for summary review shall be submitted to the Education Audit Appeals Panel ("EAAP") in accordance with applicable law.

The independent financial audit (**Appendix 10**)of the Charter School is a public record to be provided to the public upon request.

J. SUSPENSION AND EXPULSION PROCEDURES

"The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that are consistent with all of the following:

For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present his or her side of the story.

For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:

(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.

(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.

Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five school days before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a homeless child or youth or a foster child or youth ~~or a homeless child or youth,~~ in the native language of the the pupil's educational rights holder. In the case of a foster child or youth, the written notice shall be provided to the foster child's attorney and county social worker. If the pupil is an Indian child, as defined in Section 224.1 of the Welfare and Institutions Code, the written notice shall also be provided to the Indian child's tribal social worker and, if applicable, county social worker., The written notice shall inform the pupil, the pupil's parent or guardian, the homeless child's educational rights holder, the foster child's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker, and, if applicable, county social worker, ~~and shall inform him or her~~ of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent or guardian, the homeless child's educational rights holder, the foster child's educational rights holder, attorney or county social worker, or the Indian Child's tribal social worker or, if applicable, county social worker initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).

(iv) A foster child's educational rights holder, attorney, and county social worker and an Indian child's tribal social worker and, if applicable, county social worker shall have the same rights a parent or guardian of a child has to receive a suspension notice, expulsion notice, manifestation determination notice, involuntary transfer notice, and other documents and related information."

-Education Code Section 47605(c)(5)(J)

Students are responsible for their actions and are expected to adhere to the Commitment to Excellence Contract and all charter school rules and policies. If a student is in violation of a charter school rule or policy, a teacher or staff member will refer him/her to the appropriate administrator to determine the

consequences based on the type and severity of the violation.

Corporal punishment will not be permitted or used as a disciplinary measure against any student at the Charter School. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property. Any employee who engages in corporal punishment will be terminated immediately.

The Charter School administration shall ensure that students and their parents/guardians[2] are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that this Policy and Procedures are available on request at the school office.

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

A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. The Charter School will follow all applicable federal and state laws including but not limited to the applicable provisions of the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

This policy shall serve as the Charter School's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements.

No student shall be involuntarily removed by the Charter School for any reason unless the parent/guardian of the student has been provided written notice of intent to remove the student no less than five (5) school days before the effective date of the action. The written notice shall be in the native language of the student or the student's parent/guardian or, if the student is a foster child or youth or a homeless child or youth, 81 155the student's educational rights holder, and shall inform the student, the student's parent/guardian, or

[2] The Charter School shall ensure that a homeless child or youth's educational rights holder; a foster child or youth's educational rights holder, attorney, and county social worker; and an Indian child's tribal social worker and, if applicable, county social worker have the same rights as a parent or guardian to receive a suspension notice, expulsion notice, manifestation determination notice, involuntary transfer notice, involuntary removal notice, and other documents and related information. For purposes of this Policy and its Procedures, the term

"parent/guardian" shall include these parties.

educational rights holder of the basis for which the student is being involuntarily removed and the student's parent/guardian, or educational rights holder's right to request a hearing to challenge the involuntary removal. If a student's parent, guardian, or educational rights holder requests a hearing, the Charter School shall utilize the same hearing procedures specified below for expulsions, before the effective date of the action to involuntarily remove the student. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include removals for misconduct which may be grounds for suspension or expulsion as enumerated below.

Grounds for Suspension and Expulsion of Students

A student may be suspended from school or recommended for expulsion if the Principal determines that the student has committed a prohibited act outlined in Education Code Section 48900 or otherwise identified in the Charter School's Discipline Matrix (Appendix 14) included in the Scholar-Parent Handbook. A student shall be immediately suspended and shall be recommended for expulsion if the Principal determines that the student has committed an act under Education Code Section 48915(c).

Due Process Protections

Prior to student discipline, especially those involving suspension or expulsion or other limitations of fundamentally protected student rights, every student will have access to the maximum due process protections provided under the law, within the context of the circumstances. Students who are being considered for suspension and expulsion will be provided the specific due process protections provided below to safeguard the student's interests within the situation.

Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Informal Conference

Suspension shall be preceded, if possible, by an informal conference conducted by the Principal or the Principal's designee with the student and his or her parent and whenever practical, the teacher, supervisor or Charter School employee who referred the student to the Principal. The conference may be omitted if the Principal or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or Charter School personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference.

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense, in accordance with Education Code Section 47605(c)(5)(J)(i). This conference shall be held within two (2) school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for

failure of the pupil's parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

2. Notice to Parents/Guardians

At the time of the suspension, a Charter School employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice will also state the date and time when the student may return to school following the suspension. If Charter School officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian to respond to such requests without delay.

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of expulsion by the Principal or Principal's designee, the pupil and the pupil's parent/guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil's parent/guardian, unless the pupil and the pupil's parent/guardian fail to attend the conference.

This determination will be made by the Principal or designee upon either of the following: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

4. Homework Assignments During Suspension

In accordance with Education Code Section 47606.2(a), upon the request of a parent, a legal guardian or other person holding the right to make education decisions for the student, or the affected student, a teacher shall provide to a student in any of grades 1 to 12, inclusive, who has been suspended from school for two
(2) or more school days, the homework that the student would otherwise have been assigned.

In accordance with Education Code Section 47606.2(b), if a homework assignment that is requested pursuant to Section 47606.2(a) and turned into the teacher by the student either upon the student's return to school from suspension or within the timeframe originally prescribed by the teacher, whichever is later, is not graded before the end of the academic term, that assignment shall not be included in the calculation of the student's overall grade in the class.

<u>Authority to Expel</u>

As required by Education Code Section 47605(c)(5)(J)(ii), students recommended for expulsion are entitled

to a hearing adjudicated by a neutral hearing officer to determine whether the student should be expelled. The procedures herein provide for such a hearing and the notice of said hearing, as required by law.

A student may be expelled by the neutral and impartial Expulsion Panel as needed. The Expulsion Panel shall consist of at least three (3) members who are certificated and neither a teacher of the pupil nor a member of the Charter School's Board. The Expulsion Panel shall be presided over by a designated neutral hearing chairperson. The Expulsion Panel may recommend expulsion of any student found to have committed an expellable offense or an offense listed in the Discipline Matrix in the Scholar-Parent Handbook, subject to appeal and review by the Board of Directors.

Only the neutral and impartial Fortune School of Education Board of Directors, upon the recommendation of the Expulsion Panel, may expel a student. The governing board and the Expulsion Panel shall be presided over by a designated neutral hearing chairperson. The governing board may expel any student found to have committed an expellable offense(s) listed in Education Code Section 48900, as stated in the "Grounds for Suspension and Expulsion" above.

Except for the non-discretionary expellable offenses listed above, a student may only be expelled upon the findings and recommendations of the Expulsion Panel if it finds that the student committed the expellable offense and at least one of the following findings are substantiated:

1) That other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
2) That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others.

Expulsion Procedure

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Principal or designee determines that the student has committed one of the acts listed under the Discipline Matrix or an expellable offense and recommends the student for expulsion.

The hearing will be conducted by the Expulsion Panel. The Charter School Principal will make a recommendation to the Expulsion Panel. The Expulsion Panel shall be comprised of at least three members who are certificated and neither a teacher of the student nor a member of the Charter School's Board. The hearing shall be held in closed session (complying with all student confidentiality rules under the Family Educational Rights and Privacy Act ("FERPA") unless the student makes a written request for a public hearing in open session three (3) days prior to the date of the scheduled hearing. Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten (10) calendar days before the date of the hearing. The notice shall include:

1) The date and place of the hearing;
2) A statement of the specific facts, charges and offense upon which the proposed expulsion is based;
3) A copy of the charter school's disciplinary rules which relate to the alleged violation;
4) Notification of the student's or parent/guardian's obligation to provide information about the student's status to any other district in which the student seeks enrollment;
5) The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel;
6) The right to inspect and obtain copies of all documents to be used at the hearing;
7) The opportunity to confront and question all witnesses who testify at the hearing; and
8) The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses

The Expulsion Panel may, upon a finding of good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations that shall be examined only by the Expulsion Panel. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of their right to (a) receive five (5) days notice of their scheduled testimony, (b) have up to two (2) adult support persons of their choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which the complaining witness may leave the hearing room.
4. The Expulsion Panel may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The Expulsion Panel may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the Expulsion Panel from removing a support person whom the presiding person finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, the Charter School must present evidence

that the witness' presence is both desired by the witness and will be helpful to the Charter School. The entity presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the Expulsion Panel from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.

8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the hearing room during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the pupil being expelled, the complaining witness shall have the right to have their testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the entity conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstances can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

Record of Hearing

A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made.

Presentation of Evidence

While technical rules of evidence do not apply to an expulsion hearing, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Expulsion Panel to expel must be supported by substantial evidence that the student committed an expellable offense.

Finding of facts shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony. from witnesses whom the Board or Expulsion Panel determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

If, due to a written request by the expelled pupil, the hearing is held at a public meeting, and the charge is committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900, a complaining witness shall have the right to have his or her testimony heard in a session closed to the public.

Expulsion Decision

The decision of the Expulsion Panel shall be in the form of written findings of fact and a written recommendation to the governing board which will make a final determination regarding the expulsion. The Board of Directors shall make the final determination regarding the expulsion within ten (10) school days following the conclusion of the hearing. The decision of the Board of Directors is final. If the Expulsion Panel decides not to recommend expulsion, or the Board of Directors ultimately decides not to expel, the student shall immediately be returned to their previous educational program. The Board of Directors may also determine to suspend the enforcement of the expulsion order for a period of not more than one (1) calendar year from the date of the expulsion hearing and return the student to the student's previous educational program under a probationary status and rehabilitation plan to be determined by the Board. During the period of the suspension of the expulsion order, the student is deemed to be on probationary status. The Board of Directors may revoke the suspension of an expulsion order under this section if the student commits any of the enumerated offenses listed above or violates any of the Charter School's rules and regulations governing student conduct. If the Board revokes the suspension of an expulsion order, the student may be expelled under the terms of the original expulsion order. The Board of Directors shall apply the criteria for suspending the enforcement of the expulsion order equally to all students, including individuals with exceptional needs as defined in Education Code Section 56026. The Board of Directors shall further comply with the provisions set forth under Education Code Section 48917, except as otherwise expressly set forth herein.

Written Notice to Expel

The CEO or designee, following a decision of the charter school Board to expel, shall send written notice of the decision to expel, including the Board's adopted findings of fact, to the student or parent/guardian. This notice shall also include the following:

1) Notice of the specific offense committed by the student or any of the acts listed in the Discipline Matrix in the Scholar-Parent Handbook;
2) Notice of the right to appeal the expulsion; and
3) Notice of the student's or parent /guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the Charter School.

The CEO or designee, shall send written notice of the decision to expel to the student's district of residence and SBCUSD. This notice shall include the following:

1) The student's name
2) The specific expellable offense committed by the student

Upon expulsion from the Charter School, students will be referred to their district of residence to attend school pursuant to the procedure of their district of residence pertaining to expelled students.

Additional Due Process Rights

Every student is entitled under fundamental principles of due process to know precisely what conduct is prohibited prior to being disciplined for such conduct, and to possess ample opportunity to review the evidence presented and provide a response to such evidence. The due process protections afforded to students prior to suspension and expulsion are provided above, and further rights, such as the right to appeal, record-keeping, and rehabilitation and re-admittance are included below.

Appeal Rights

Following receipt of the notice of expulsion, the student shall have the right to appeal that decision to the full Fortune School of Education Board of Directors. The student shall have 10 days to present her/his intention to appeal the decision. Upon the appeal, the student shall have the right to a de novo review in front of the full governing board in closed session, including the full complement of due process rights available to the student during the initial hearing. The full governing board will then render a final decision regarding the student's appeal.

If an appeal is requested, the Board of Directors, or a committee thereof, shall review the expulsion within ten (10) school days following the conclusion of the hearing, or as soon thereafter as practicable, but no later than its next regularly scheduled meeting. In the event the matter cannot be resolved within 10 days practicably, it will be agendized for the next regular board meeting. The Board review/appeal is not a second hearing. Rather, the Board appeal is a review for procedural error, and whether the evidence supports the expulsion. The Board of Directors' decision to expel shall be final—there is no further appeal.

Disciplinary Records

The Charter School shall maintain records of all student suspensions and expulsions at the Charter School. Such records shall be made available to the chartering authority upon request, but neither the District nor county office of education shall be involved in the disciplinary decision.

Expelled Students/Alternative Education

Parents/guardians of students who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence. The Charter School shall work cooperatively with parents/guardians as requested by parents/guardians or by the school district of residence to assist with locating alternative placements during expulsion.

Rehabilitation Plans

Students who are expelled from the Charter School shall be given a rehabilitation plan upon expulsion as developed by the Board at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. The rehabilitation plan should include a date not later than one year from the date of expulsion when the pupil may reapply to the Charter School for readmission.

Readmission or Admission of a Previously Expelled Student

The decision to readmit a pupil after the end of the student's expulsion term or to admit a previously expelled pupil from another school district or charter school shall be the sole discretion of the Board of Directors following a meeting with the Principal or designee and the pupil and parent/guardian or representative, to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Principal shall make a recommendation to the Board of Directors following the meeting regarding his or her determination. The Board shall then make a final decision regarding readmission during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the Brown Act. The pupil's readmission is also contingent upon the Charter School's capacity at the time the student seeks readmission or admission to the charter school.

Notice to Teachers

The Charter School shall notify teachers of each student who has engaged in or is reasonably suspected to have engaged in any of the acts listed in Education Code Section 49079 and the corresponding enumerated offenses set forth above.

Special Procedures for the Consideration of Suspension and Expulsion of Students with Disabilities

1. Notification of SELPA

The Charter School shall immediately notify the SELPA and coordinate the procedures in this policy with the SELPA of the discipline of any student with a disability or student that the Charter School or the SELPA would be deemed to have knowledge that the student had a disability.

2. Services During Suspension

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting (which could constitute a change of placement and the student's IEP would reflect this change), and to progress toward meeting the goals set out in the child's IEP/504 Plan; and receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting.

3. Procedural Safeguards/Manifestation Determination

Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the Charter School, the parent, and relevant members of the IEP/504 Team shall review all relevant information in the student's file, including the child's IEP/504 Plan, any teacher observations, and any relevant information provided by the parents/guardians to determine:

a. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or

b. If the conduct in question was the direct result of the local educational agency's failure to implement the IEP/504 Plan.

If the Charter School, the parent/guardian, and relevant members of the IEP/504 Team determine that either of the above is applicable for the child, the conduct shall be determined to be a manifestation of the child's disability.

If the Charter School, the parent/guardian, and relevant members of the IEP/504 Team make the determination that the conduct was a manifestation of the child's disability, the IEP/504 Team shall:

a. Conduct a functional behavioral assessment and implement a behavioral intervention plan for such child, provided that the Charter School had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
b. If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
c. Return the child to the placement from which the child was removed, unless the parent and the Charter School agree to a change of placement as part of the modification of the behavioral intervention plan.

If the Charter School, the parent, and relevant members of the IEP/504 Team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a direct result of the failure to implement the IEP/504 Plan, then the Charter School may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

4. Due Process Appeals

The parent/guardian of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or the Charter School, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer in accordance with state and federal law, including 20 U.S.C. Section 1415(k), until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, unless the parent and the Charter School agree otherwise.

In accordance with 20 U.S.C. Section 1415(k)(3), if a parent/guardian disagrees with any decision regarding placement, or the manifestation determination, or if the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, the parent/guardian or Charter School may request a hearing.

In such an appeal, a hearing officer may: (1) return a child with a disability to the placement from which the

child was removed; or (2) order a change in placement of a child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of such child is substantially likely to result in injury to the child or to others.

5. Special Circumstances

Charter School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability who violates a code of student conduct.

The Principal or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) school days without regard to whether the behavior is determined to be a manifestation of the student's disability in cases where a student:

a. Carries or possesses a weapon, as defined in 18 U.S.C. Section 930, to or at school, on school premises, or to or at a school function;
b. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or
c. Has inflicted serious bodily injury, as defined by 20 U.S.C. Section 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

6. Interim Alternative Educational Setting

The student's interim alternative educational setting shall be determined by the student's IEP/504 Team.

7. Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been identified as an individual with disabilities pursuant to IDEA and who has violated the Charter School's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if the Charter School had knowledge that the student was disabled before the behavior occurred.

The Charter School shall be deemed to have knowledge that the student had a disability if one of the following conditions exists:

a. The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to Charter School supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.
b. The parent has requested an evaluation of the child.
c. The child's teacher, or other Charter School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other Charter School supervisory personnel.

If the Charter School knew or should have known the student had a disability under any of the three (3) circumstances described above, the student may assert any of the protections available to IDEA-eligible

children with disabilities, including the right to stay-put.

If the Charter School had no basis for knowledge of the student's disability, it shall proceed with the proposed discipline. The Charter School shall conduct an expedited evaluation if requested by the parents; however, the student shall remain in the education placement determined by the Charter School pending the results of the evaluation. The Charter School shall not be deemed to have knowledge that the student had a disability if the parent has not allowed an evaluation, refused services, or if the student has been evaluated and determined not to be eligible.

K. RETIREMENT SYSTEMS

"The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security."

-Education Code Section 47605(c)(5)(K)

All employees of HBCP shall participate in the federal social security system, as required by law and have access to an FSE-sponsored 403(b) retirement plan, according to policies developed by the Board of Directors and adopted as the Charter School's employee policies. The CFO is responsible for ensuring that appropriate arrangements for coverage have been made. HBCP does not at this time plan to participate in CALSTRS or CALPERS.

L. PUBLIC SCHOOL ATTENDANCE ALTERNATIVES

"The public school attendance alternatives for pupils residing within the school district that choose not to attend charter schools."

-Education Code Section 47605(c)(5)(L)

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

M. RIGHTS OF SCHOOL DISTRICT EMPLOYEES

"*The rights of an 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(c)(5)(M)

No public school district employee or employee of the District shall be required to work at HBCP. Employees of the District who choose to leave the employment of the District to work at HBCP shall have no automatic right to return to the District after employment by the charter school unless specifically granted by the District. Charter School employees shall have any right upon leaving the District to work in the Charter School that the District may specify, any rights of return to employment in a school district after employment in the Charter School that the District may specify, and any other rights upon leaving employment to work in the Charter School that the District determines to be reasonable and not in conflict with any law.

Sick or vacation leave or years of service credit at the District or any other school district will not be transferred to the Charter School. Employment by the Charter School provides no rights of employment at any other entity, including any rights in the case of closure of the Charter School.

N. DISPUTE RESOLUTION

"The procedures to be followed by the charter school and the chartering authority to resolve disputes relating to provisions of the charter."

-Education Code Section 47605(c)(5)(N)

HBCP maintains policies and processes for aiding and resolving internal and external disputes.

Intent

The intent of this dispute resolution process is to (1) resolve disputes within the Charter School pursuant to the Charter School's policies, (2) minimize the oversight burden on the District as HBCP's chartering authority, and (3) ensure a fair and timely resolution of disputes, and (4) frame a charter oversight and renewal process and timeline so as to avoid disputes regarding oversight. HBCP and SBCUSD intend to resolve disputes informally wherever possible, and only to use the dispute resolution process herein when informal attempts have failed.

Public Comments

The staff and governing board members of HBCP and SBCUSD agree to resolve all disputes regarding this Charter School pursuant to the terms of this section. HBCP and SBCUSD may discuss disputes in public meetings of their respective boards as required by the Brown Act and shall respond to Public Records requests as required by law.

Disputes Arising From Within the Charter School

Disputes over personnel discipline are not covered by Hardy Brown College Prep's dispute resolution process, and instead, are resolved through the personnel policies and procedures. HBCP maintains comprehensive personnel policies and procedures, approved by the Fortune School of Education Board of Directors that are provided to each employee upon hire. These policies set forth personnel obligations, rights, responsibilities, complaint procedures, discipline procedures, and other pertinent policies essential to preserving a safe and harmonious work environment. The Principal resolves complaints and grievances and administers any personnel discipline, with the assistance of the Director of Human Resources, the President/CEO, and/or the Board of Directors, if necessary, in accordance with these policies.

The District agrees to refer all complaints regarding the Charter School's operations to FSE for resolution in accordance with the Charter School's adopted policies. Parents, students, Board members, volunteers, and staff of HBCP are provided with a copy of the Charter School's policies and dispute resolution process and agree to work within its bounds. In the event that HBCP's adopted policies and processes fail to resolve the dispute, the District shall avoid intervening in the dispute without the consent of the Fortune School of Education Board of Directors or designee unless the matter directly relates to one of the reasons specified in law for which a charter may be revoked (see Education Code Section 47607 and its implementing regulations), it relates to the authority of the District to monitor and oversee HBCP (see Education Code

Section 47604.32), or the District is acting under the authority provided to it under Charter Schools Act of 1992 as

it may be amended from time to time.

Disputes Between HBCP and the District

In the event that HBCP and the District have disputes regarding the terms of this charter or any other issue regarding HBCP, both parties agree to follow the process outlined below.

In the event of a dispute between HBCP and the District that cannot be resolved informally, the staff and Board of Directors of Fortune School of Education and the District agree to first frame the issue in written format and refer the issue to the District Superintendent, and the FSE President/CEO, or their respective designees.

The Charter School and the District will be encouraged to attempt to resolve any disputes amicably and reasonably without resorting to formal procedures.

If the District determines that a violation of the Charter or law may have occurred or a problem has arisen related to the operation of the Charter School or the District's oversight obligations, or a dispute otherwise arises between the District and the Charter School the following procedures shall be followed to resolve the dispute:

1. Should the District determine in writing that the violation or issue in question constitutes a severe and imminent threat to the health or safety of the pupils, it shall not be bound by any portion of this dispute resolution process and may commence revocation proceedings immediately or take action as it deems necessary.

2. If the violation or issue in question does not constitute a severe and imminent threat to the health or safety of pupils, District or the Charter School will provide written notification of the violation or issue. The date that this notice is sent shall be the "Notice Date." Upon issuance of this notice, a meeting will be scheduled to discuss and possibly resolve the dispute. Both parties must have representatives present at this meeting and under no circumstances will the meeting be held more than ten (10) calendar days after the Notice Date. The District representative at the meeting will be the Superintendent or the Superintendent's designee, and the Charter School representative will be the Charter School President/ CEO or their designee. If the dispute is not resolved at this meeting or in strict accordance with any plan for resolution agreed upon at this meeting, the parties will proceed to Step 3.

3. In the event that this informal meeting fails to resolve the dispute, a District Board member and a Charter Board member shall jointly meet with the Superintendent and Charter President/ CEO , or their respective designees, and attempt to resolve the dispute within twenty (20) calendar days from receipt of the dispute statement.

4. The District may commence revocation of the Charter and/or other appropriate action in accordance with Education Code Section 47607 or applicable law.

Internal Disputes

The Charter School shall have an internal dispute resolution process to be used for all internal disputes related

to the Charter School's operations. The Charter School shall also maintain a Uniform Complaint Policy and Procedures and Title IX complaint procedures, as required by state and federal law, respectively. Parents, students, Board members, volunteers, and staff at the Charter School shall be provided with a copy of the Charter School's policies and internal dispute resolution process. The District shall promptly refer all disputes not related to a possible violation of the charter or law to the Charter School.

a. .

O. CLOSURE PROCEDURES

"The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of public records."

-Education Code Section 47605(c)(5)(O)

Closure of the Charter School will be documented by official action of the FSE 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 Charter School will promptly notify staff, parents and students of the Charter School, SBCUSD, the San Bernardino County Office of Education, the Charter School's SELPA, the retirement systems in which the Charter School's employees participate (e.g., Public Employees' Retirement System, 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 students' 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 Charter School 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 FSE Board's decision to close the Charter School.

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

As applicable, the Charter School will provide parents, students and the District 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. Fortune School of Education will maintain student records for a term and in a manner consistent

with applicable federal and state law.

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 Charter School will prepare final financial records. The Charter School will also have an independent audit completed within six months after closure. The Charter School will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by the Charter School and will be provided to the District 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 Charter School will complete and file any annual reports required pursuant to Education Code Section 47604.33.

On closure of the Charter School, all assets of the Charter School, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending the Charter School, remain the sole property of the Charter School and, upon the dissolution of the non-profit public benefit corporation, shall be distributed in accordance with the Articles of Incorporation. Any assets acquired from the District or District property will be promptly returned upon the Charter School's closure to the District. 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 Charter School shall remain solely responsible for all liabilities arising from the operation of the Charter School.

As the Charter School is operated by a non-profit public benefit corporation, should the corporation dissolve with the closure of the Charter School, the FSE 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 9**, the Charter School will utilize the reserve fund to undertake any expenses associated with the closure procedures identified above.

MISCELLANEOUS CHARTER PROVISIONS

I. BUDGETS AND FINANCIAL PLANNING, REPORTING, AND ACCOUNTABILITY

"The petitioner or petitioners also shall 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(h)

Budgets

A financial plan for the charter school, including a three-year operational budget, LCFF Calculator Summary and Other Revenue Charter Petition Budget are attached as **Appendix 9.**

Financial Reporting

Financial Systems and Processes

FSE will continue to perform the business operations for HBCP. The Chief Financial Officer oversees those services to ensure that they are meeting the needs of the Charter School. FSE organizes the Charter School's chart of accounts in an accounting software package that accommodates all reporting needs.

Accounting System

FSE uses Escape Technology financial software to maintain its financial records. This is a fully integrated fund accounting package developed for school districts that includes modules for accounts payable, accounts receivable, payroll, purchasing, inventory and cash management in addition to the general ledger. Payroll is outsourced to Paycom for processing. The chart of accounts allows for a user defined account code structure that can accommodate the Standardized Account Code Structure account segments.

Budget and Financial Reporting Schedule

FSE annually prepares and submits its financial information to the District in accordance with the District's Fiscal Reporting Calendar to ensure the following deadlines are met:

- By July 1, a preliminary budget for the next fiscal year.
- By July 1, a local control and accountability plan and an annual update to the local control and accountability plan required pursuant to Education Code Section 47606.5.
- By December 15, an interim financial report for the current fiscal year, which reflects changes to the preliminary budget through October 31. Additionally, by December 15, a copy of the Charter School's annual, independent financial audit report for the preceding fiscal year shall be delivered to the District, State Controller, California Department of Education and County Superintendent of Schools.
- By March 15, a second interim financial report for the current fiscal year, which reflects changes to the preliminary budget through January 31.
- By September 15, a final unaudited financial report for the full prior fiscal year. The report submitted

to the District shall include an annual statement of all the Charter School's receipts and expenditures

for the preceding fiscal year.

Other Financial Reports

HBCP utilizes Aeries, a student information system for attendance and CALPADS reporting, which complies with state law and the District's requirements. HBCP is a direct-funded charter school. HBCP deposits its funds in a non-speculative and federally insured bank account for use by the Charter School. HBCP provides the following reports that are required by law: California Basic Educational Data System (CBEDS), actual Average Daily Attendance reports, all financial reports required by Education Code Sections 47604.33 and 47605(m), the School Accountability Report Card (SARC), and the LCAP.

2. Indemnification & Insurance

Indemnification

To the fullest extent permitted by law, the Charter School agrees to immediately, fully and completely indemnify, defend through counsel reasonably acceptable to District and hold harmless the District and its members, officers, Board appointed groups, committees, boards, and any other Board appointed body, and administrators, employees and attorneys, agents, representatives, volunteers, successors, and assigns ("Indemnitees") from and against any and all liabilities, claims, demands, actions, damages, causes of action, suits, judgments, losses, expenses, fines, costs, penalties, or obligations, of whatever nature or kind, including, but not limited to, attorney's fees and litigation and defense costs, regardless of insurance coverage, that in any way arise out of or relate to:

A. Any actual or alleged acts, errors, omissions, or willful misconduct on the part of the Charter School, the board of directors, officers, board appointed groups, committees, boards, and any other Charter School appointed body, administrators, employees, attorneys, agents, representatives, partners, sponsors, vendors, volunteers, contractors, subcontractors, invitees, successors, assigns, and/or any other person/entity acting on behalf of the Charter School and/or pursuant to a contract with the Charter School;

B. The performance of and/or the failure to perform in whole or in part any obligation under this Charter; and

C. The operation or activities of the Charter School, including any program or facility.

The obligations of the Charter School to defend the District and the other Indemnitees identified herein is primary and not contingent upon insurance and/or there being an acknowledgement of or a determination of the merit of any claim, demand, action, cause of action, or a determination or liability and those obligations will be deemed to be triggered immediately upon the assertion of any claim, demands, actions, cause of action, or suit within the scope of this paragraph. However, nothing in this paragraph shall be constructed to obligate the Charter School to indemnify Indemnitees for any claims, demands, actions, causes of action, suits, losses, expenses, costs, penalties, obligations, or liabilities resulting from an Indemnitee's sole negligence or from an Indemnitee's willful misconduct where such sole negligence or willful misconduct has been adjudged by the final and binding findings of a court of competent jurisdiction; except, in instances where the sole negligence or willful misconduct of an Indemnitee accounts for only part

of the loss(es) involved, the indemnity obligations of the Charter School shall be for that portion of the loss(es) not due or attributable to the sole negligence or the willful misconduct of such Indemnitees.

The Charter School further specifies that its indemnification, defense, and hold harmless obligations pursuant to this Charter extend to indemnify, defend, and hold the Indemnitees harmless from any and all financial obligations in the event of an unbalanced Charter School budget.

The Charter School's obligation to indemnify, defend, and hold harmless the Indemnitees, as set forth in this section of the Charter, are in addition to and not limited by insurance requirements and shall survive the revocation, expiration, termination, or cancellation of the Charter School's Charter or any other act or event that would end the Charter School's right to operate as a charter school pursuant to its Charter or cause the Charter School to cease operations.

Charter School shall reimburse the District for any deductible or self-insured retention costs incurred under Charter School's policies.

The Charter School shall at all times be operated by or as a nonprofit public benefit corporation and shall provide to the District proof of its federal and state tax exempt status on or before July 1 following approval of the renewal of the Charter. Nothing in this paragraph shall serve to reduce or excuse the Charter School's obligations to obtain and maintain the insurance required by the Charter and/or its obligation to indemnify, defend, and hold harmless the Indemnitees, as set forth in this Charter.

Insurance

Charter School shall purchase and maintain, in full force and effect at all times during the term of this Charter, insurance in amounts and types subject to the terms approved by the District's risk manager

No coverage shall be provided to the Charter School by the District, including self-insured programs or commercial insurance policies. In the event Charter School adds locations (which may only be done through an approved material revision to its Charter), each Charter School location shall meet the below insurance requirements individually. It shall continue to be the Charter School's responsibility, not the District's, to monitor its vendors, contractors, partners, or sponsors for compliance with the insurance requirements.

The Charter School shall purchase and maintain in full force and effect at all times during the term of this Charter and/or any MOU or other agreement between the parties insurance in amounts and types and subject to the terms approved by the District's risk manager and as specified below. The Charter School's obligations to acquire and maintain insurance as provided in this section of the Charter shall survive the revocation, expiration, termination, or cancellation of this Charter or any MOU or any other agreement between the parties or any other act or event that would end the Charter School's right to operate as a charter school pursuant to its Charter or cause the Charter School to cease operations until the Charter School has fully complied with the Closure Protocol set forth in this Charter and/or any closure or termination procedures or requirements in any MOU or other agreement between the parties and any additional closure procedures required by law, regulation, or required by the California Department of Education.

Without limiting this Charter or any MOU or other agreement between the parties and/or the defense, indemnity, and hold-harmless obligations of the Charter School, throughout the life of the Charter and any

MOU or other agreement between the parties, the Charter School shall obtain, pay for, and maintain in full force and effect insurance policies issued by an insurer or insurers admitted by the California Insurance Commissioner to do business in the State of California and rated not less than " A or A-VII" by A.M. Best Insurance Rating Guide, or, in the case of self-insurance, with a California Joint Powers Authority, a memorandum or memoranda of coverage providing coverage as follows:

COMMERCIAL GENERAL LIABILITY insurance and/or coverage, which shall include coverage for: "bodily injury," "property damage," "advertising injury," and "personal injury," including, but not limited to, coverage for products and completed operations, with combined single limits of not less than $1,000,000 per occurrence and $2,000,000 in the aggregate. This coverage will be on an occurrence basis. Additionally, Excess Liability coverage shall be procured in the amount of $20,000,000 per occurrence and $20,000,000 in the aggregate.

A. General Liability Insurance Endorsement Negligence Related to Sexual Abuse or Molestation providing coverage for allegations of wrongful acts or negligence should an injury occur as a result of sexual abuse with liability coverage of $3,000,000 per occurrence and $6,000,000 in the aggregate. Such insurance must include coverage for sexual abuse perpetrated by a student, students in supervised internship program, employed school psychologists and counselors, employee, officer or director, business invitee, volunteer or representative, and agent for whose conduct the insured entity is responsible.

B. General Liability Insurance Endorsement Negligence Related to Corporal Punishment providing coverage for allegations of wrongful acts or negligence should an injury occur as a result of corporal punishment.

EMPLOYEE BENEFITS LIABILITY insurance and/or coverage which shall include coverage for errors and omissions in the administration of an employee benefit program. Such coverage shall be in an amount not less than $1,000,000 per occurrence and $1,000,000 in the aggregate.

PROPERTY insurance and/or coverage, which shall include: (a) coverage for real property on an "all risk" basis with full replacement cost coverage and code upgrade coverage, (b) Fire Legal Liability, to protect against liability for portions of premises leased or rented, and (c) Business Personal Property, to protect on a Broad Form, named peril basis, for all furniture, equipment and supplies of the Charter School. If any District property is leased, rented or borrowed, it shall also be insured by the Charter School in the same manner as (a), (b), and (c) above.

COMMERCIAL AUTO LIABILITY insurance and/or coverage, which shall include coverage for owned, non-owned, and hired autos, with bodily injury and property damage liability limits not less than $1,000,000 per person and per occurrence.

WORKER'S COMPENSATION insurance and/or coverage, as required by applicable law, with not less than statutory limits.

ERRORS AND OMISSIONS insurance and/or coverage providing coverage for educators' legal liability and error and omissions in an amount not less than $1,000,000 per "claim" with an aggregate policy limit of $2,000,000.

If at any time during the term of the charter the District's Risk Manager requests that the charter school acquire a fidelity bond (in an amount determined by the District's Risk Manager) the charter school shall obtain such a bond within 15 days of the request.

All of the insurance and/or coverage required by the foregoing provisions of this Charter shall: (a) be endorsed to name the District, Board members, officers, Board appointed groups, committees, boards, and any other Board appointed body, and administrators, employees and attorneys, agents, representatives, volunteers, successors, and assigns (collectively hereinafter the "District and the District Personnel") as additional insureds; (b) shall be primary insurance, and any insurance and/or self-insurance or coverage maintained by the District and/or by the District Personnel shall be in excess of the Charter School's insurance and/or coverage required by the foregoing provisions of this Charter and shall not contribute with the primary insurance and/or coverage to be provided by the Charter School; (c) shall be on an "occurrence" basis rather than a "claims made" basis, excepting only educators' legal liability and errors and omissions insurance and/or coverage, which shall be on a "claims made" basis; and (d) shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of liability set forth in the applicable policy or memorandum of coverage.

Each policy of insurance and/or memorandum of coverage required by the foregoing provisions of this Charter shall be endorsed to state that coverage shall not be suspended, rescinded, voided, canceled, reduced in coverage or in limits, or non-renewed, or materially changed for any reason, without thirty (30) days' prior written notice thereof given by the insurer to the District by U.S. Mail, certified, or by personal delivery. In addition to such notice provided to the District by the insurer, the Charter School shall also provide the District with thirty (30) days' prior written notice, by certified mail, return receipt requested, of the suspension, recession, voiding, cancellation, reduction in coverage or limits, non-renewal, or material change for any reason, of any policy of insurance or memorandum of coverage required by the foregoing provisions of this Charter. If at any time any policy of insurance or memorandum of coverage required by the foregoing provisions of this Charter is suspended, rescinded, voided, canceled, reduced in coverage or in limits, or non-renewed, or materially changed for any reason, the Charter School shall immediately notify the District. If the required insurance and/or coverage is not restored within five(5) business days, the Charter shall be subject to revocation through the standards and procedures set forth in Education Code Section 47607.

The acceptance by the District of the insurance and/or coverage required by the foregoing provisions of this Charter shall in no way limit the liability or responsibility of the Charter School or of any insurer or joint powers authority to the District.

Each policy of insurance and/or memorandum of coverage required by the foregoing provisions of this Charter shall be endorsed to state that all rights of subrogation against the District and/or the District Personnel are waived.

The District retains the right to adjust the amount/ types of insurance Charter School is required to attain at any time during the term of the Charter, as recommended by the District's risk manager.

Verification of Coverage

The Charter School shall provide to the District duplicate originals of each policy of insurance and/or each memorandum of coverage required by the foregoing provisions of this Charter, including all declarations, forms, and endorsements, which shall be received and approved by the District risk manager within thirty (30) days of the approval of this Charter and by July 1 and January 7 of each year thereafter, and at any other time that a policy of insurance and/or memorandum of coverage is changed and at any other time a request is made by the District for such documents. The duplicate originals and original endorsements required by this provision shall be signed by a person authorized by the insurer and/or joint powers authority to bind coverage on its behalf. The procuring of such insurance and/or coverage or the delivery of duplicate originals and endorsements evidencing the same shall in no way be construed as a limitation of the obligation(s) of the Charter School to defend, indemnify, and hold harmless the District and the District Personnel.

Deductibles and Limits of Liability

The limits of liability applicable to the policies of insurance and/or memoranda of coverage required by the foregoing provisions of this Charter shall not reduce or limit the obligation(s) of the Charter School to defend, indemnify, and hold harmless the District and the District Personnel.

The limits of liability applicable to the policies of liability insurance and/or memoranda of coverage in place of liability insurance required by the foregoing provisions of this Charter shall not be reduced by or apply to defense costs or attorney's fees incurred to defend against covered claims.

Any deductible(s) or self-insured retention(s) applicable to the insurance and/or coverages required by the foregoing provisions of this Charter must be declared to and approved by the District.

The Charter School shall promptly respond to all inquiries from the District regarding any claims against the Charter School and/or any obligation of the Charter School under the foregoing provisions of this Charter.

Additionally, the Charter School shall strive to, at all times, maintain a funds balance (reserve) of its expenditures as suggested by Section 15450, Title 5 of the California Code of Regulations.

3. ADMINISTRATIVE SERVICES

"The manner in which administrative services of the charter school are to be provided."

-Education Code section 47605(h)

FSE's CFO is responsible for the administrative services of the Charter School under policies adopted by FSE. The Charter School works with FSE for the provision of much of its administrative services. FSE has a demonstrated track-record of experience managing California public funds and providing similar services for various publicly funded California programs. FSE meets HBCP's service needs based on mandatory state data tracking and reporting requirements. Administrative services include human resources, payroll, accounts payable, student accounting (attendance, CALPADS), food service program management and financial reporting.

Pursuant to California Law, the District will continue to be required to provide oversight and performance monitoring services, including, but not limited to, monitoring Charter School and student performance data, reviewing the Charter School's financial statements and audit reports, performing annual site visits, engaging in the dispute resolution process, and considering charter material revisions and renewal requests.

HBCP remains responsible for obtaining its own health benefits via small business plan type offerings from local vendors (e.g., Kaiser and Blue Cross). Employee benefits include health, dental, and vision insurance.

HBCP may elect to purchase administrative services from the District upon mutual agreement between both parties. Such services may include SARB processes, site budgeting, instructional programs, development, custodial services, food services, accounting, payroll and purchasing services, and some degree of personnel support. Specific terms of most of these services shall be covered by a memorandum of understanding. HBCP reserves the rights to purchase additional administrative or other goods or services from any third party as needed.

4. IMPACT ON THE CHARTERING AUTHORITY

"Potential civil liability effects, if any, upon the charter school and upon the school district."

-Education Code Section 47605(h)

The Charter School shall be operated by 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 23701(d).

Pursuant to Education Code Section 47604(d), 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. The Charter School shall work diligently to assist the District in meeting any and all oversight obligations under the law, including monthly

meetings, reporting, or other district-requested protocol to ensure the District shall not be liable for the operation of the Charter School.

The Corporate Bylaws of the Charter School shall provide for indemnification of the Charter School's Board, officers, agents, and employees, and the Charter School will purchase general liability insurance, Board Members and Officers insurance, and fidelity bonding to secure against financial risks. To the fullest extent permitted by law, HBCP and FSE agree to promptly, fully and completely indemnify, defend, and hold harmless the San Bernardino City Unified School District, the San Bernardino City Unified School District's Board of Trustees, and each of their members, officers, administrators, employees, agents, representatives, volunteers, successors and assigns ("Indemnitees") from and against any and all claims, demands, actions, causes of action, suits, losses, expenses, costs, penalties, obligations, or liabilities of whatever nature or kind, including, but not limited to, attorney's fees and litigation costs, that in any way arise out of or relate to any actual or alleged act or omission on the part of HBCP or FSE, and/or on the part of the FSE Board of Directors, HBCP or FSE administrators, employees, agents, representatives, volunteers, subcontractors, invitees, successors, and/or assigns of HBCP or FSE in any way related to the performance of and/or to the failure to perform in whole or in part any obligation under the charter and/or in any way related to the operation or operations of HBCP or FSE or of any other HBCP or FSE facility, program, or activity. The obligations of HBCP and FSE to defend the San Bernardino City Unified School District and the other Indemnitees identified herein is not contingent upon there being an acknowledgement of or a determination of the merit of any claim, demand, action, cause of action, or suit, and those obligations will be deemed to be triggered immediately upon the assertion of any claim, demand, action, cause of action, or suit within the scope of this paragraph. However, nothing in this paragraph shall be construed to obligate HBCP or FSE to indemnify the Indemnitees for any claims, demands, actions, causes of action, suits, losses, expenses, costs, penalties, obligations, or liabilities resulting from an Indemnitee's sole negligence, from an Indemnitee's negligence, or from an Indemnitee's willful misconduct where such sole negligence, negligence, or willful misconduct has been adjudged by the final and binding findings of a court of competent jurisdiction; except, in instances where the negligence or willful misconduct of an Indemnitee accounts for only part of the loss(es) involved, the indemnity obligations of HBCP or FSE shall be for that portion of the loss(es) not due to the negligence or the willful misconduct of such Indemnitees.
HBCP or FSE further specifies and agrees that its indemnification, defense, and hold harmless obligations pursuant to this charter include the obligation and duty to indemnify, defend, and hold the District and District personnel harmless from any and all financial obligations in the event of an unbalanced budget.

HBCP and FSE's obligation to indemnify, defend, and hold harmless the District and District personnel, as set forth in this section of the charter, shall survive the revocation, expiration, termination, or cancellation of this charter or any other act or event that would end HBCP or FSE's right to operate as a charter school pursuant to this charter or cause HBCP or FSE to cease operations.

The Charter School Board will institute appropriate risk management practices as discussed herein, including screening of employees, establishing codes of conduct for students, and dispute resolution.

5. LOCATION OF CHARTER SCHOOL FACILITY

"The facilities to be used by the charter school. The description of the facilities to be used by the charter school shall specify where the charter school intends to locate."

-Education Code Section 47605(h)

HBCP currently operates at the following location:
655 West 2nd Street
San Bernardino, CA 92415

6. TRANSPORTATION

The Charter School shall not provide transportation to and from school, unless it chooses otherwise, except for special education students pursuant to an IEP or as otherwise required by law.

7. GENERAL PROVISIONS OF THE PROPOSED CHARTER

Charter Renewal Term

The term of this charter renewal shall be the July 1, 2026 through June 30, 2031**.** This charter may be renewed for one or more subsequent terms upon the District's approval of a charter renewal petition.

Revisions

Material revisions of this charter may be made in writing with the mutual consent of the District and the FSE Board. Material revisions shall be made pursuant to the standards, criteria, and timelines set forth in Education Code Section 47605, provided, however, that HBCP shall not be required to obtain petition signatures prior to making material revisions to the charter petition.

Communication and Notices

All official communication between Hardy Brown College Prep and the District will be sent via first class mail or other appropriate means to Fortune School of Education's President/CEO and the Superintendent of the District, at the following locations.

Fortune School of Education
2890 Gateway Oaks Drive, #100
Sacramento, CA 95833

Office of the Superintendent
San Bernardino City Unified School District
777 North F Street
San Bernardino, CA 92410

APPENDICES

1. **Bell Schedule**
2. **Academic Calendar**
3. **Local Control and Accountability Plan (LCAP)**
4. **Articles of Incorporation**
5. **Corporate Bylaws / 501(c)(3) Status Document**
6. **Conflict of Interest Code**
7. **Job Descriptions**
8. **Salary Schedule**
9. **Budget**
10. **Audit Report**
11. **Scholar-Parent Handbook**
12. **Student Enrollment Application**
13. **Section 504 Policy**
14. **School Safety Plan**