



EVEREST

Public High School

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Charter Petition

Submitted to the Sequoia Union High School District

June 23, 2008

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TABLE OF CONTENTS OF LEGAL REQUIREMENTS

This charter has been created in the format encouraged by the California State Board of Education in its adopted "Model Application for Charter Schools" (Appendix A) and goes beyond the legal requirements of Education Code Section 47605. According to the State Board of Education, the Model Application format ensures that charter petitioners cover all of the minimum elements required by law in a systematic way. However, as the Model Application format requires that statutory provisions in the Charter Schools Act be addressed out of the order presented in the Education Code, this "Table of Contents of Legal Requirements" is presented to assist the Reviewer in establishing that all requirements of law have been met.

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CHARTER SCHOOL INTENT AND CHARTER REQUIREMENTS

It is the intent of the California Legislature, in enacting the Charter Schools Act of 1992, to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure, as a method to accomplish all of the following:

- (a) Improve pupil learning.
- (b) Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving.
- (c) Encourage the use of different and innovative teaching methods.
- (d) Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.
- (e) Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system.
- (f) Hold the schools established under this part accountable for meeting measurable pupil outcomes, and provide the schools with a method to change from rule-based to performance-based accountability systems.
- (g) Provide vigorous competition within the public school system to stimulate continual improvements in all public schools.

California Education Code Section 47601(a)-(g)

In reviewing petitions for the establishment of charter schools the chartering authority shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged.

AFFIRMATIONS / ASSURANCES

As the authorized lead petitioner, I, Diane Tavenner, hereby certify that the information submitted in this application for a charter for the creation of the California public charter school **Everest Public High School** ("Everest") located within the boundaries of the Sequoia Union High School District ("District") is true to the best of my knowledge and belief; I also certify that this application does not constitute the conversion of a private school to the status of a public charter school; and further, I understand that if awarded the charter, Everest:

- Shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605 and 60851, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(c)(1)]
- Employees shall be employees of The Summit Institute, a California nonprofit, public benefit corporation. The Summit Institute shall operate Everest and shall be deemed the exclusive public school employer of the employees of Everest for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605 (b)(5)(O)]
- Shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]
- Shall not charge tuition. [Ref. Education Code Section 47605(d)(1)]
- Shall admit all students who wish to attend Everest, and who submit a timely application, unless the Charter School receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random lottery process. Except as provided in Education Code Section 47605(d)(2), admission to Everest shall not be determined according to the place of residence of the student or his or her parents within the State. [Ref. Education Code Section 47605(d)(2)(A)-(B)]
- Shall not discriminate on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(d)(1)]
- 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 1974, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities in Education Improvement Act of 2004.
- 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)]

- Shall ensure that teachers in Everest hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. As allowed by statute, flexibility will be given to non-core, non-college preparatory teachers. [Ref. California Education Code Section 47605(l)]
- Shall at all times maintain all necessary and appropriate insurance coverage.
- 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 Everest 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 a transcript of grades or report card and health information. [Ref. California Education Code Section 47605(d)(3)]
- Will follow any and all other federal, state, and local laws and regulations that apply to Everest including but not limited to:
 - Everest shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection.
 - Everest shall on a regular basis consult with its parents and teachers regarding the Charter School's education programs.
 - Everest shall comply with any jurisdictional limitations to location of its facility.
 - Everest shall comply with all laws establishing the minimum and maximum age for public school enrollment.
 - Everest shall comply with all applicable portions of the No Child Left Behind Act.
 - Everest shall comply with the Public Records Act.
 - Everest shall comply with the Family Educational Rights and Privacy Act.
 - Everest shall meet or exceed the legally required minimum of school days.

As the authorized representative of the applicant, I hereby certify that the information submitted in this application for a charter for Everest Public High School to be located in Redwood City is true to the best of my knowledge and belief; I further understand that if awarded a charter, the school will comply with all assurances listed above.

Diane Tavenner
CEO, The Summit Institute
Petitioners for Everest Public High School

Date

INTRODUCTION

The Sequoia Union High School District (SUHSD) has a rich and distinguished tradition. SUHSD is a pioneer in educating high school students on the peninsula. This tradition begun in the 1800s and continues today with its California Distinguished comprehensive high schools and model continuation high school. The students of the SUHSD have a wide array of programs and activities from which to choose, providing a tremendous opportunity for exploration and growth. As a result, the district enjoys a high degree of community support which has allowed for the development of state of the art facilities and a highly qualified, professional and dedicated faculty and staff.

The petitioners of Everest Public High School seek to contribute to the outstanding work and efforts of the SUHSD through the addition of another choice for students, families and teachers. Many of the lead petitioners for Everest Public High School are founders or supporters of Summit Preparatory Charter High School ("SPCHS"), a charter school which has flourished under the sponsorship of the Sequoia Union High School District. During each of the last four years SPCHS has held a public random drawing for admission to the school because the number of applicants has exceeded the available spaces. In the SPCHS admission lottery for 2008, there were 3.25 applicants for each available spot in the school indicating a robust and growing desire for a small, heterogeneous, college preparatory high school program.

The SUHSD is clearly dedicated to responding to the ever changing needs of its community members. The petitioners of Everest seek a partnership with the district to address the requests of many students, parents and community members who have asked SPCHS to consider increasing the school's capacity to accommodate the interest. Unfortunately, Summit Prep is unable to fill the requests because one of the most fundamental principles and research-based elements of SPCHS is its small size. The Board of Directors and faculty members of SPCHS strongly believe that increasing the size of SPCHS would severely compromise the school's ability to achieve its mission, goals and objectives.

Therefore, with the support and encouragement of the SPCHS community, this group of petitioners respectfully submits a charter petition for a new high school named Everest Public High School for the district's consideration. Everest is modeled after SPCHS and in nearly every aspect Everest is like SPCHS. The petition describes a few features of Everest that will be different from SPCHS, but for all practical purposes Everest is proposed to meet the excessive community requests for another SPCHS model high school.

We are eager and excited to contribute to the Sequoia Union High School District's admirable mission to provide all of its students with a world-class education, and to be one of the many diverse options afforded to the students and parents of this excellent school system.

Thank you for your consideration.

The Petitioners for Everest Public High School

I. FOUNDING GROUP

The founding group of Everest Public High School (“Everest”) was brought together by their work in support of SPCHS. Members of the group first began working together as early as 1999 as they began researching public school enrollment trends and performance data in southern San Mateo County. Since that time, members of the group founded SPCHS and have been successfully operating it since. In December 2007, the founding group described below opened a non-profit organization called The Summit Institute, which is further described in section IV of this petition. The Summit Institute is the petitioning organization for Everest Public High School.

Chief Executive Officer: Diane Tavenner

Expertise: Curriculum, instruction, assessment, organization, governance, and administration
Education and Experience:

Ms. Tavenner brings over fifteen years of experience teaching and administering in suburban and urban high schools in both Southern and Northern California. As the former Executive Director of Summit Preparatory Charter High School, Ms. Tavenner has six years of experience in opening and operating a successful charter high school. Her responsibilities have included program design, hiring, evaluation, student recruitment, budget development and management, curriculum and instruction, discipline, and partnerships.

Prior to her role as Executive Director of Summit Preparatory High School, Ms. Tavenner served as Assistant Principal, Curriculum and Instruction, at Mountain View High School. She was instrumental in opening access to the advanced placement and honors programs, which increased the diversity of the students taking the classes while maintaining passage rates that exceed national and state averages. She introduced processes that increased collaboration between administration, faculty and students in key areas such as master schedule creation and in campus groups. She also administered the counseling program at Mountain View High, instituting national standards in the department in order to focus on student outcomes.

Prior to Mountain View High School, Ms. Tavenner was a teacher and professional development coordinator at Hawthorne High School in the Los Angeles area and a part-time professor at Loyola Marymount University. During this time, she was a founding member of the Lawndale Academy, and worked in a K-12 partnership with UCLA’s Center X to create interdisciplinary programs for at-risk students focused on helping students complete high school and go on to college.

Ms. Tavenner has a BA in psychology and sociology from the University of Southern California, a Single Subject Teaching Credential in English Language Arts and CLAD certification from Loyola Marymount University and a MA in Administration and Policy Analysis from Stanford University. She is a certified teacher trainer in SDAIE methodology and group work.

Chief Operations Officer: Isabelle Parker

Expertise: Finance, business management, organization and administration
Education and Experience:

Ms. Parker brings public and private sector business and management experience combined with school operations knowledge to her position. Her duties include finances and budget, purchasing, technology implementation and maintenance, human resources, facilities, contracts, and mentoring of students.

Ms. Parker served as the Chief Operations Officer for Summit Preparatory Charter High School for nearly two years. Her duties included finances and budget, purchasing, technology implementation and maintenance, human resources, facilities, contracts, and mentoring of students.

Prior to her role at SPCHS, Ms. Parker worked for EdTec, a back office service provider to California charter schools. At Edtec, she managed the finances for eight schools (multi-year budgets, cash forecast, monthly expenditure statements, district and state reports etc.) In addition, she developed budgets for charter petitions and prepared CDE Revolving Loan Applications and PCSGP Start-up and Implementation Grants. Before going to EdTec, Ms. Parker worked at the Reikes Center for Human Enhancement, a youth mentoring organization.

She is a coach for Woodside Vaulters, a female youth equestrian / gymnastics team. She serves as the Education Chair of the US Equestrian Federation Vaulting High Performance Committee and is a mother of two.

Ms. Parker holds an MBA from Kellogg School of Management at Northwestern University and a BA in Economics and Psychology from Claremont McKenna College.

Vice President of Leadership: Yvette Sarnowski

Expertise: Curriculum, instruction, assessment, organization, governance, and administration
Education and Experience:

Ms. Sarnowski's career in education spans over 30 years and includes teaching and administration at K-12 and university levels. She has most recently served as the Director of Professional Development at Summit Preparatory Charter High School after retiring from her position as Associate Director of Clinical Work, Stanford Teacher Education Program (STEP). Her K-12 experiences prior to STEP include classroom teacher (7-12), founder of an interdisciplinary school-within-a school (9-12), International Baccalaureate Coordinator (9-12), Associate Principal for Curriculum and Instruction (9-12), and Director of Curriculum and Staff Development , K-12 for Modesto City Schools.

She also served as Director, Program in International & Multicultural Education, California State University, Stanislaus. Her work assisted classroom teachers in learning to be effective with diverse student populations. This included the training of veteran teachers in Complex Instruction through a satellite program she co-developed for San Joaquin Valley teachers through the Program for Complex Instruction at Stanford University. Ms. Sarnowski has also served as a consultant in curriculum development, school design, and program evaluation. She holds a bachelors degree in Political Science and a master's degree in Educational Leadership.

School Faculty: Meghann Tovar

Expertise: Curriculum, instruction, assessment, organization, and administration

Education and Experience:

Ms. Tovar has over 7 years of teaching and administration experience at both the secondary and post-secondary level. She has taught grades 9-12 in California as well as classes at the university level in California and in Panama.

Ms. Tovar joined Summit Preparatory Charter High School at the end of its first year of operation and worked on a number of administrative projects before and during her time in the classroom. She was the Director of Admissions, the WASC Accreditation Coordinator (both for the initial and self-study reports), served as a Professional Development Liaison between Stanford University and Summit, and was part of the Leadership Team that planned professional development experiences for the faculty. She also taught World History for sophomores as well as a college advisory curriculum known as Connections.

Prior to coming to Summit, Ms. Tovar taught in two comprehensive, public high schools in the bay area. She was also the Academic Director and an instructor for the English Language Department at the Universidad Interamericana in Panama City, Panama. She is currently a member of the MBA Admissions Team at the Wharton School.

Ms. Tovar holds both a BA in International Relations as well as a MA in Education from Stanford University. She has a Single Subject Teaching Credential in Social Studies and CLAD certification. She will graduate from The Wharton School at the University of Pennsylvania in 2009 with a Business Certificate.

Board Chairman: Robert J. Oster

Expertise: Finance, business management, organization, governance and administration

Education and Experience:

Mr. Oster started his career as a professional economist and corporate banker with Bank of America in 1967. He then moved on to positions in corporate finance with a number of Bay Area companies. In 1983, he joined Oracle Corporation as Vice President-Finance and Administration and was responsible for Oracle's initial public offering in 1986.

Since 1987, he has been a private venture investor working with other private and institutional investors in all phases of the venture investing process from incubation and due diligence through building the management team and sale of the company or initial public offering.

Mr. Oster received a BA in economics with honors from Occidental College in 1963 and an MA and Ph.D. in economics from the University of California, Berkeley in 1965 and 1967, respectively. He is an Overseer and a member of the Executive Committee of The Hoover Institution at Stanford University.

Board Member and Finance Committee Chairperson: Steven Humphreys

Expertise: Finance, business management, organization, governance and administration

Education and Experience:

Steven Humphreys is CEO and Chairman of the Board of Directors of ActivCard Corporation (Nasdaq: ACTI), the leading provider of digital identity security software to the U.S. government and corporations

worldwide. He also is Chairman of the Board of SCM Microsystems, Inc. (Nasdaq: SCMM). Mr. Humphreys was formerly the CEO and President of SCM Microsystems, which he joined in 1996 and took public in 1997. Prior to SCM, he served as President of Caere Corporation, a leading provider of optical character recognition software and technology. Previously, Mr. Humphreys held various executive positions at General Electric Information Services as well as other GE business units across a span of 10 years at General Electric.

Mr. Humphreys is an advisor on digital information security to leading venture firms in the US, Europe, and Asia. Mr. Humphreys is serving his first term as an elected member of the Portola Valley Elementary School District Board. He served as a member of the Summit Preparatory Charter High School from 2003-2008. He is active philanthropically, primarily in education and the arts, including The Girls' Middle School (Mountain View, California); The Resource Area for Teachers/RAFT (San Jose, California); Stanford University; and others.

Steven holds an MBA and MS from Stanford University and a BS from Yale University.

Board Member and Compliance Committee Chairperson: Stacey Keare

Expertise: Legal procedures and issues, governance, organization, administration, analysis and application of education policy (curriculum, instruction and assessment)

Education and Experience:

Stacey Keare is an attorney and a policy analyst. She most recently worked at Hancock, Rotherth and Bunshoff in San Francisco, in the areas of employment law and insurance defense litigation. She has volunteered for a number of legal aid organizations such as Pro Bono Silicon Valley, the San Francisco Neighborhood Legal Assistance Foundation and the General Assistance Advocacy Project. She received a Master of Public Policy at the Kennedy School of Government at Harvard University, where she studied health and education policy. Ms. Keare and her husband created a family foundation of which she is President, focused on the areas of health, education, and human rights.

Ms. Keare was a member of the Board of Directors of Summit Preparatory High School from the fall of 2004 through June 2008. She also volunteers as a fundraiser for Stanford University and is actively involved in the Woodside Elementary School where she has three daughters in school.

Ms. Keare received her law degree from Hastings College of the law, her MPP from the Kennedy School of Government at Harvard University, and a B.A. in International Relations from Stanford University.

Governance Council Chairman: Blake Warner

Expertise: Finance, Business Management, Organization, Administration

Education and Experience:

Mr. Warner is a Managing Director in Software, Media & Telecom Investment Banking at Thomas Weisel Partners. Blake joined the firm in 1999 and is based in San Francisco. He has over 13 years of experience in Technology, Media and Telecom Investment Banking. Prior to joining the firm, Blake was a Vice President in the Entertainment, Media & Gaming Corporate Finance Group at Bank of America. He

received a BA degree from the University of California, Santa Barbara, and an MBA degree from the University of Southern California.

Mr. Warner is a native of the area and grew up “helping” in the country day school owned by his family. He is active in his community coaching soccer and participating in various activities with his wife and three children.

Governance Council Member: Robyn Yilmaz

Expertise: Finance, business management, organization and administration

Education and Experience:

Ms. Yilmaz brings public and private sector business and management experience combined with teaching and school operations knowledge. She is currently working at FaceBook in the Human Resources (People) group. Previously she worked at Google as a manager of teams that serve Google's advertisers.

She was the founding Chief Operations Officer for Summit Preparatory High School, working to successfully establish the entire “back end” of the school. During her three years of service with the school she was responsible for the finances and budget, purchasing, technology implementation and maintenance, human resources, facilities, contracts, and mentoring of students.

Prior to her role at Summit, Robyn worked for the New York City government's Economic Development Corporation and the Golden State Warriors' community relations department. She also taught math at Westover School, a private high school in Connecticut.

She is a part-time reader for MBA admissions, and teaches Computer Science 154, "Introduction to Automata and Complexity Theory" at Stanford.

Robyn holds an MBA from Stanford and a BA in Computer Science from Harvard.

Governance Council Member: Lisa Shupp Mules

Expertise: Organizational effectiveness and development, team building and facilitation, executive coaching, policy development and governance systems

Education and Experience:

Lisa provides private sector business and management experience combined with prior school board leadership. She is currently a Human Resources manager for Agilent Technologies where she works with the central research laboratory, corporate human resources and legal organizations.

Prior to her role at Agilent, Lisa worked for Hewlett Packard Company in a variety of HR, and manufacturing management roles, and was the president of the board of trustees of the Charles Armstrong School in Belmont, California. She holds an MA in Organizational Communication and Public Relations and a BS in Marketing from the University of Delaware.

Summary of necessary background critical to charter school success

	Curriculum	Instruction	Assessment	Finance	Facilities	Business Management	Organization	Governance	Administration
Tavener									
Parker									
Sarnowski									
Tovar									
Oster									
Humphreys									
Keare									
Warner									
Yilmaz									
Shupp									

II. EDUCATIONAL PHILOSOPHY AND PROGRAM

“A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an ‘educated person’ in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.”

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

Mission Statement

Everest’s mission is to prepare a heterogeneous student population for college and to be thoughtful, contributing members of society. The school aims to provide a personalized learning experience that affords each and every student the opportunity to achieve their academic goals regardless of their previous preparation and background. To this end, Everest seeks to develop educators that are trained and skilled in best practices that enhance achievement for all students. The school aspires to serve as a model for high schools endeavoring to prepare all students for post secondary academic pursuits.

Educational Philosophy

Students to be Served

Everest seeks to serve a heterogeneous group of 100 students in grade 9 upon inception in the 2009-2010 school year. In all subsequent years, enrollment will increase by a grade level, with 100 students per grade. In 2012-2013 the total school enrollment will reach capacity of 400 students (100 students in each of the grades 9-12).

The students’ primary interest should be preparing for acceptance to and success in college. The students’ backgrounds should represent the heterogeneity found in the population of the Sequoia Union High School District (“District”), which draws its students from eight different K-8 school districts and 26 different middle or elementary schools. The students from these widely varied schools, districts and cities create a heterogeneous group in that they live in areas ranging from densely populated urban centers to rural farm land, socioeconomically they range from 90% of a school’s population qualifying for free and reduced lunch to 2%; ethnically/racial they represent all seven of the primary groups tracked by the CDE; academically their middle and elementary schools’ performance on the API ranges from a 1/3 to a 10/10.

What it Means to be an Educated Person in the 21st Century

The 21st century educated person is one that thinks globally but acts locally. Students today must understand the opportunities and dilemmas that will arise continually from changes in the political, social, economic, and environmental conditions in this country, and in other countries around the world. As adults, these students will be responsible for making decisions that will affect our world in the 21st Century. Creating an environmentally stable economy in the United States and addressing the complex issues of the global economy will be two, among a myriad of, problems facing the next generation of leaders. Students at Everest will acquire the academic and practical foundation necessary to understand these issues, enabling them to make more informed decisions as adults.

Everest Public High School Charter Petition

Submitted to the Sequoia Union High School District June 23, 2008

The competitive nature of the 21st century global economy requires citizens in the United States to compete with others from around the world for employment opportunities, as greater numbers of businesses develop multi-national operations. Globalization of the economy demands that students possess a deeper understanding of other countries, their cultures, and their economies. New ways of engaging in international cooperation and competition will be a mandatory skill for students in the 21st century. This challenge will require an educational program that is far more interdisciplinary in nature than in the past.

In educating students for work and citizenship in the 21st century, Everest will foster the following habits of mind: intellectual curiosity; creative expression; moral reasoning; and empathy for others. Everest will expect its graduates to engage in a system of thinking that involves articulating ideas and making informed decisions by hypothesizing, connecting, analyzing, using evidence, and evaluating significance and perspective. The Everest's educational program will create the conditions under which its students will become self-motivated, competent, and life-long learners.

How Learning Best Occurs

Everest's believes that learning best occurs in an environment that is structured to support learning for each and every student. Drawing from the work of Linda Darling-Hammond, The School Redesign Network at Stanford University, the Coalition for Essential Schools and other respected educational research, Everest believes that learning best occurs in a school that successfully implements the following features:

- Common Focus
- High Standards and Performance-based Assessment
- Personalization
- Continuous Relationships
- Authentic Curriculum
- Adaptive Pedagogy
- Knowledgeable and Skilled Teachers
- Devoted faculty time to collaborate and develop professionally
- Family and Community Connections
- Democratic Decision-making

For more discussion on teaching methods, please see "pedagogy" below.

Program Design

Everest is a **site-based** program. Students are expected to attend school daily and follow a prescribed schedule (Appendix B – Proposed Bell Schedule and Appendix Z – Proposed School Year calendar for 2009-2010). Core instruction will take place between 8:15 AM and 3:10 PM. Additional support and learning opportunities will happen before 8:15 AM, between 3:10 and 5:15 PM and on weekends. In addition to the full course load taught at the school site by Everest instructors, students will have the

opportunity to engage in community college courses, distance learning on-line, community organization classes, and internships.

The environment will be **small and personalized**. Research shows that small schools allow students and teachers to develop more intensive, long-term relationships that enable better conditions for teaching and learning. Everest will provide these opportunities to its students and faculty through its small size (400 students) and small classes (25 students). In addition, Everest will facilitate productive teacher-student relationships by minimizing the number of different students each teacher sees during a given academic term. We also will support interdisciplinary teams of teachers working at a particular grade level to make connections across the curriculum.

The program will be **untracked and college preparatory**. Graduates from Everest will exceed all academic entrance requirements for UC college admissions. Everest is a cohort model, which means that all students of the same grade level will take the same course in English, history, math and science each year. Everest's target student population is extremely heterogeneous, thus the school will use a variety of supports and pedagogical strategies to ensure that all students can successfully access the curriculum.

The environment will be personalized via an **advisory program**. Each student will have one faculty member serve as his/her mentor for four years. The mentor will meet daily for ten minutes with the advisees and lead a weekly ninety minute Connections course that will support both a healthy, balanced, and productive high school experience while ensuring a successful transition to college. In addition, it will develop academic literacy skills.

The program will foster **self-discovery and goal setting**. Everest students will explore their values, ethics, interests, passions, talents, and visions for the future. They also will consider the contributions they would like to make in the world. Based on these in-depth analyses, students will develop more meaningful aspirations that will help them to set specific goals and action plans for their education, career, personal relationships, and contributions to their community. Understanding oneself and setting clear goals creates a natural motivation to learn, as well as a foundation for success, which will support students throughout their lives.

Each student will have a **Personalized Learning Plan ("PLP")**. As part of the self-discovery and goal-setting process, mentors will work with students to identify what they need to study and learn to achieve their goals. The mentor and student, in collaboration with his or her parents, will develop a Personalized Learning Plan that reflects the student's learning style, preparation, challenges, interests and his or her personal and professional aspirations. Our goal is to support students to work at their full potential, pursue their individual passions, and take personal responsibility for their own learning and success. Each year, students will participate, with their mentor and parents, in evaluating what they have learned and achieved in order to refine their goals and plans based on their educational experiences. This process will help them to begin the next cycle of self-exploration, goal setting, and planning. Increasing students' self-awareness and their participation and experience in setting goals and evaluating how well they are doing in reaching those goals are important skills that are essential for success in the 21st century workplace. Templates for the PLPs are included in Appendix AA.

Each student will be guided through **college and career planning**. It is expected that a significant percentage of Everest's population will be first-generation college students and our program will assist them in building relevant skills and goals, while fully preparing every student for college entrance. Through classroom activities, small groups, and individual counseling, students will clarify why they want to go to college, and what kind of institution of higher education will be a good match for them. They will learn how to find information about colleges and choose a group that seems to match their goals, write and submit their college applications, and develop habits that will help ensure a successful experience at the college of their choice. They will explore career options of interest to them, find out about the prerequisite knowledge and skills needed for particular careers, and develop job search and workplace skills.

Studies have shown that **emotional intelligence and life skills** (e.g., motivation, leadership, interpersonal skills) can be as important for success in today's workplace as academic qualifications (Daniel Goleman, *Emotional Intelligence*). The goals of the program are to improve social and professional relationships, to foster mutual cooperation among students and teachers in solving problems, to have students develop a stronger sense of belonging to the school and the community, to foster cross-cultural sensitivity among students and respect for life, and to develop a sense of self-empowerment in making healthy life choices. Specific life skills to be addressed in this program include: respect, responsibility, organization, cooperation, perseverance, friendship, integrity, initiative, flexibility, sense of humor, effort, common sense, problem solving, patience, curiosity, caring, time management, public speaking, financial literacy, resiliency and stress management, personal empowerment, leadership, communication, and self-confidence.

Each student will set a **community contribution** goal each year. Many goals will involve a community service project or internship that will enable them to make a difference in their community and to have a real world, career-related experience. Through the goal setting process, students will identify issues they care about, decide how they would like to make a difference through this experience, and what they would like to learn.

The faculty will consist of **highly qualified teachers** who are **well supported**. Teachers will hold appropriate teaching certifications and be encouraged to pursue National Board for Professional Teaching Standards Certification within their first five years at Everest. Professional development, teacher planning time, and other opportunities for collaboration will be scheduled on a regular and on-going basis to support teachers throughout their career. In establishing a professional teaching environment, Everest will ensure collaborative planning time for teachers to design interdisciplinary curricula, so that students will be able to make connections across the subjects, and thereby deepen their conceptual understanding of content.

There will be an emphasis on **culture and professional development**. The culture of the school will be that of a learning community in which each member works towards a set of individual goals, takes responsibility for the success of their own PLP (personal learning plan), and is nurtured by the community to reach their highest potential. Teachers, administrators, and staff will work with a professional mentor or coach to develop annual goals and to set up an evaluation process similar to the students' PLP. This process is highly motivating and supportive for teachers, and is likely to enhance retention, as teachers are respected, have access to a career path that continues to develop and mature over time, and have mechanisms through which they may address career issues in a supportive environment.

Pedagogy (Teaching Methods)

Everest recognizes that there is no single pedagogical strategy that is best for all students at all times. Therefore, Everest will employ a range of pedagogical strategies that are considered “best practices” in the field and supported by the most current educational research. This variety of instructional methods will provide opportunities for all students to learn academic content at high levels of conceptual understanding.

Differentiated Instruction: Teachers will be trained to effectively develop and deliver curriculum to heterogeneous groups of students.

Interdisciplinary Curriculum: To facilitate greater conceptual understanding and to make content more relevant, lessons, units and study trips will integrate the various core curricular areas whenever possible.

Project-based instruction: Projects will link the curriculum content with students’ real world experiences, making learning more relevant and valuable to their lives outside of school. Research on project- and problem-based learning indicates the importance of connections between the classroom curriculum and the “world beyond the classroom. Students engaged in projects that are relevant to their lives tend to learn more quickly and are more motivated to learn.

Integrated technology: Technology will be used as a tool throughout a student’s experience at Everest to provide each student with access to information stored around the world, to facilitate communication and collaboration on projects with other students, both at Everest and at other high schools or organizations, and as another vehicle through which a student can express his or her knowledge and understanding of content.

Direct instruction: Direct instruction has a purpose and a role in college preparation. Lectures will be given when appropriate, and students will work to develop their note-taking, recall, and response skills.

Complex Instruction: Complex Instruction evolved from over 20 years of research at the Stanford School of Education. The goal of this instruction is to provide academic access and success for all students in heterogeneous classrooms by using multiple ability curricula and specific instructional strategies including the treatment of status problems to equalize group interactions.

A narrative description of the average daily experience of various Everest students is included in Appendix C – Narrative Description of a Typical Day for Everest Student.

Curriculum

The curriculum at Everest will offer a foundation of academic content knowledge in six core content areas, and poise students to enter a college or university with the academic literacy and higher-order thinking skills required for post secondary education. The curriculum will be aligned with the California State Standards, and all core courses will be approved by the University of California to meet the a-g requirements. All Advanced Placement Courses will be approved by the College Board. The focus of the

curriculum will be rigor and relevance, with a dedication to meeting the needs of a heterogeneous student population.

If the proposed school will serve high school pupils a description of the manner in which the charter school will inform parents about the transferability of courses to other public high school and the eligibility of courses to meet college entrance requirements.

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

Upon completion of Everest's graduation requirements, students will have exceeded the University of California's a-g subject requirements. Students and parents will be informed of how each course taken meets graduation and college entrance requirements and transfers to other public high school programs via the Student and Parent Handbook that will be provided each school year and upon new student enrollment and posted on the school website. A sample handbook is contained in Appendix D.

Core Academic Coursework: Students will be required to demonstrate mastery of standards in six core academic subject areas: English Language Arts, history/social sciences, mathematics, the natural sciences, language other than English, and visual and performing arts. Everest's core course requirements will exceed those of the University of California subject requirements.

Advanced Placement Exams: Students will be expected to prepare for and pass at least one AP exam. Preparation will include course work as well as some teacher directed independent study.

Technology: Students will develop technological proficiency in the areas of word processing, graphic design, spread sheets, slide presentation, and internet research within their core academic subjects and through their elective courses. Students will be expected to utilize technology in ways that will prepare them for post-secondary work and college life.

Approved Courses: All courses offered at Everest in the six core subject areas will be approved to meet the school's graduation requirements. Additionally, students may seek administrative approval for online distance learning courses, community college courses or high school courses from other institutions to be accepted as meeting the school's graduation requirements. Outside courses will only be considered if they are college preparatory, comparable to the courses taught at Everest and taught by an accredited institution. Approval for such courses must be obtained from the Executive Director prior to the commencement of the course.

Revisions to the list of courses offered by the institution will be made based on a continual improvement process that involves analyzing student performance data and educational trends to determine how the curriculum can best meet the needs of the student population and align with the mission of the school. Everest intends to teach the following courses at this time. Each course listed is a one year course or the equivalent of one (1) UC credit or a traditional high school's ten (10) credit course. The course descriptions and curriculum will be modeled on the courses currently taught at SPCHS and approved by the UC system. Sample course descriptions from each subject area are contained in Appendix E.

a - Social Science

- World History and Geography I
 - World History and Geography II
 - US History AP & Government and Politics AP I
 - US History AP & Government and Politics AP II
- b – English
- Literature and Personal Choice
 - The Individual and Society
 - English Language and Composition AP
 - English Literature and Composition AP
- c – Mathematics
- Geometry
 - Advanced Algebra
 - Trigonometry / Pre-Calculus
 - Statistics AP
 - Calculus AP
- d – Laboratory Science
- Physics
 - Chemistry
 - Biology
 - Environmental Science AP
- e – Language other than English
- Mandarin I
 - Mandarin II
 - Mandarin III
 - Mandarin IV
- f – Visual and Performing Arts
- Musical Theater I, II, III
 - Art Survey I, II, III
 - Instrumental Music
 - Photography
 - Film-making

Graduation Requirements: To be eligible for graduation from Everest, students must meet the following requirements:

- Complete the following number of approved year-long courses with a C- grade or better:
 - 4 History / Social Science
 - 4 English
 - 4 Mathematics
 - 4 Laboratory Science
 - 3 Language other than English
 - 1 Visual and Performing Art
- Received credit for the following number of year-long courses or equivalent experiences:
 - 1 Cultural Study and Exploration
 - 2 Elective

- 4 Connections
- 4 Physical Activity

Materials

The materials used by Everest's teachers will be selected in accordance with the guidelines and recommendations provided by the California Department of Education, the College Board's Advanced Placement Program and the National Council for Teachers of the six core subject areas.

The materials Everest will use are necessary to support a college preparatory and AP program, and include:

- Textbooks
- Computers and Projection Devices
- Software Programs
- Laboratory Science Equipment and Materials
- Test Preparation Guides
- The Internet
- A Research Library
- A Reading Library
- Manipulatives
- Maps and Atlases
- Dictionaries and Thesauruses
- Graphing calculators
- Digital Cameras, Recorders and Voice Recording Devices
- Televisions, VCRs and DVD players
- Musical Instruments
- California Physical Fitness Test Equipment

Appendix F includes a detailed list of materials and texts that will form the basis for those selected for use at Everest.

Academically Low Achieving Students

Overview

At Everest, low-achieving students are defined as those who perform at a basic level on California State Standards Exams and / or those who earn one or more grades of C- or lower per grading period. At-risk students are defined as those who perform at a below basic or far below basic level on California Standards Exams and/or do not pass the California High School Exit Exam on the first attempt and/or who earn one or more failing grades per grading period. Students from either of these groups may or may not qualify for special education services (as discussed below).

Educational research and best practices in pedagogy indicate that low-achieving and at-risk students benefit from learning experiences that are relevant to their lives, include multiple modes and measures, and

have clear and high expectations combined with a supportive learning environment. Additionally, low achieving and at-risk students benefit greatly from placement in a heterogeneous classroom.

Low-achieving and at-risk students are thoroughly integrated into the entire student body at the school and participate fully in all aspects of the curriculum. Everest teachers are using the well-researched and documented pedagogical strategies of Complex Instruction and heterogeneous group work to support these students in the content standards based courses. The student, his/her parent and mentor determine what additional supports are needed and should be accessed through the Personalized Learning Plan. These supports can consist of daily tutoring by peers or adults, weekly office hours held by each teacher, subject specific workshops to re-teach previously learned concepts or material, and one-on-one and small group sessions with the teacher during the intersession. Each student's progress is regularly monitored by his/her mentor.

The following list provides examples of the methods by which Everest will serve its low achieving/at risk students. These services are available to all Everest students. Appendix G summarizes a comprehensive list of supports and services and related faculty expectations and supports in A Summary of Typical Support Systems for Everest Students. Appendix C includes a narrative description of a typical daily experience for an academically low achieving / at risk student.

Faculty Office Hours

For six hours each week, the student's classroom teachers hold office hours between 3:15 and 5:15 pm. The teachers have a rotating schedule to ensure that every student can see all five of his/her classroom teachers at least 30 minutes per week, in a small group or individual session. Low-achieving and at-risk students are encouraged - and often commit via their Personalized Learning Plan - to attend these sessions on a weekly basis. During the sessions, the teachers re-teach material, provide additional support for completing assignments, provide additional individualized instruction and offer alternative assessments.

Tutoring

Monday through Friday from 3:15 to 5:15 pm, Everest provides tutoring for students. Students have the option of a peer tutor or a volunteer adult tutor. Tutors are appropriately matched, given each individual student's needs, and are available in all courses. Tutors provide support on current assignments and course work, and on remediation work to help develop missing skills and poor academic literacy.

Upon student request or teacher recommendation, low-achieving and at-risk students meet on a weekly basis with a time management/organization consultant who teaches the students to organize and manage their time, assignments and work, then subsequently monitors their efforts.

Intersession

For eight weeks of the school year, students engage full-time in a sixth course. During the 3:15 to 5:15pm timeframe of these weeks, low-achieving and at-risk students work individually and in small groups with their course teachers to revisit course concepts and revise material that they were not able to master to standard during the regular semester. With intensive support and the additional time, students demonstrate mastery during these periods, and are prepared to move the next semester or course.

Independent Learning

During the regular semester, students have one daily period in which they complete their homework with the support of student study groups and an adult supervisor.

Faculty Discussions / Interventions / Individual Plans

During bi-weekly faculty meetings, all grade level teachers meet and discuss individual low-achieving and at-risk students. The discussions focus on tracking progress, identifying areas of need and effective strategies for working with the individuals.

All grade level teachers meet with at-risk students and their parents when necessary throughout the semester in “intervention” meetings. The result of such meetings is a plan that has consensus on how to support the individual student, with specific responsibilities delegated to the students, parents and teachers. The student’s mentor monitors the plan to ensure that it is followed. Appendix EE includes a template used during the Intervention meetings.

Connections / Academic Literacy

Each week, students meet with their mentor in the Connections course. One of the curricular units of this course is academic literacy. Throughout the four years of high school, the Connections curriculum focuses on teaching and building skills such as time-management, organization, test-taking strategies, exam preparation strategies, study strategies, research skills, and reading skills, among others.

Academically High-Achieving Students

At Everest academically high-achieving students are those who perform at an Advanced level on California State Standards Exams and / or who consistently earn A grades in a majority of his/her courses.

Four of the core content areas offer at least one, if not two, Advanced Placement (AP) Courses. The differentiated curriculum regularly provides high achieving students with opportunities to deepen their study of concepts and subject matter, via specialized projects and assignments. Finally, Everest’s structure encourages high achieving students to concurrently enroll in community college courses for more advanced study. A narrative description of a typical daily experience for an Academically High-Achieving Student is included in Appendix C.

English Learners

Overview

Everest will meet all applicable legal requirements for English Learners as it pertains to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, re-classification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirement. Everest will implement policies to assure proper placement, evaluation, and communication regarding EL’s and the rights of students and parents.

Home Language Survey

Everest will administer the home language survey upon a student's initial enrollment into Everest (on enrollment forms).

CELDT Testing

All students who indicate that their home language is other than English will be CELDT tested within thirty days of initial enrollment¹ and at least annually thereafter between July 1 and October 31st until re-designated as fluent English proficient.

Everest will notify all parents of its responsibility for CELDT testing and of CELDT results within thirty days of receiving results from the publisher. The CELDT shall be used to fulfill the requirements under the No Child Left Behind Act for annual English proficiency testing.

Reclassification Procedures

Reclassification procedures utilize multiple criteria in determining whether to classify a pupil as proficient in English including, but not limited to, all of the following:

- Assessment of language proficiency using an objective assessment instrument including, but not limited to, the California English Language Development Test or CELDT.
- Participation of the pupil's classroom teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil to evaluate the pupil's curriculum mastery.
- Parental opinion and consultation, achieved through notice to parents or guardians of the language reclassification and placement including a description of the reclassification process and the parents opportunity to participate, and encouragement of the participation of parents or guardians in the reclassification procedure including seeking their opinion and consultation during the reclassification process.
- Comparison of the pupil's performance in basic skills against an empirically established range of performance and basic skills based upon the performance of English proficient pupils of the same age that demonstrate to others that the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English.
- The Student Oral Language Observation Matrix will be used by teachers to measure progress regarding comprehension, fluency, vocabulary, pronunciation, and grammar usage.

¹ The thirty-day requirement applies to students who are entering a California public school for the first time or for students who have not yet been CELDT tested. All other students who have indicated a home language other than English will continue with annual CELDT testing based upon the date last tested at the prior school of enrollment.

Strategies for English Language Learner Instruction and Intervention

The school will serve EL at the school site through a sheltered English immersion program. Under this program, the EL student is enrolled in a regular class and receives supplementary instruction in order to learn English. Appendix C includes a narrative description of a typical daily experience for an EL student.

Special Education

Overview

The following provisions govern the application of special education to Charter School students:

- It is understood that all children will have access to the Charter School and no student shall be denied admission due to disability.
- The Charter School shall comply with the Individuals with Disabilities in Education Improvement Act of 2004 (“IDEIA” or “IDEA”), Section 504 of the Rehabilitation Act (“Section 504”) and the Americans with Disabilities (“ADA”).
- The Charter School shall be solely responsible for compliance with Section 504 and the ADA.
- The Charter School agrees to implement a Student Study Team Process, a regular education function which shall monitor and guide referrals for Section 504 and special education services.
- Everest wishes to be deemed an LEA and a member of a Special Education Local Plan Area (“SELPA”) for provision of special education services pursuant to Education Code Section 47641(a). Everest shall seek the Districts support in the provision of data or information in Everest’s pursuit of membership in a SELPA as an LEA. Once an LEA, and a member of a SELPA, the Charter School shall be solely responsible for compliance with the IDEIA.
- Until such time as a SELPA grants the Charter School membership in the SELPA as an LEA, the Charter School shall be deemed a public school of the District that granted the charter pursuant to Education Code Section 47641(b) and shall work jointly with the District to ensure full compliance with the IDEIA. An anticipated timeline for application and membership in the San Mateo County SELPA is included in Appendix H.

1. Section 504 of the Rehabilitation Act

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

A 504 team will be assembled by the Principal and shall include the parent/guardian, the student (where appropriate) and other qualified persons knowledgeable about the student, the meaning of

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

- Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel.
- Tests and other evaluation materials include those tailored to assess specific areas of educational need, and not merely those which are designed to provide a single general intelligent quotient.
- Tests are selected and administered to ensure that when a test is administered to a student with impaired sensory, manual or speaking skills, the test results accurately reflect the student's aptitude or achievement level, or whatever factor the test purports to measure, rather than reflecting the student's impaired sensory, manual or speaking skills.

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

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

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

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

year to determine the appropriateness of the Plan, needed modifications to the plan, and continued eligibility. Attached as Appendix BB, please find the Everest 504 policy and Administrative Procedures as Appendix CC. The Parent Rights Form is attached at Appendix DD.

2. Services for Students under the IDEIA

Everest intends to provide special education instruction and related services in accordance with the IDEIA, Education Code requirements, and applicable policies and practices of the SELPA. As stated above, Everest shall pursue SELPA membership as an LEA to begin the first year of operation, but can make no guarantees as to approval as an LEA in that time frame. As such, until such time as Everest is approved as an LEA member of a SELPA pursuant to Education Code Section 47641(a), Everest shall remain, by default, a public school of the District for purposes of Special Education purposes pursuant to Education Code Section 47641(b).

The Lead Petitioner met with Lauren O'Leary, the SELPA Director, on June 12, 2008 to discuss SELPA guidelines and timelines as they relate to special education. The language herein reflects the discussions with the SELPA.

Services for Students under the IDEIA if the School remains a public school of the District

*The following provisions are meant to summarize Everest Petitioner's understanding of the manner in which special education instruction and related services shall be provided by Everest and the **District if at any point Everest exists as a public school of the District**. The following language aligns with the San Mateo County SELPA policy on charter schools and mirrors the typical "industry standard" arrangement between a school district and a charter school and aligns with State and Federal law which requires that students in charter schools receive special education and related services in the same manner as any other student in the District. The language that follows is not meant to unilaterally bind the District, or to preclude alternative arrangements between the District and Everest as agreed upon in a Memorandum of Understanding ("MOU").*

As a public school of the District, solely for purposes of providing special education and related services under the IDEIA pursuant to Education Code Section 47641(b), in accordance with Education Code Section 47646 and 20 U.S.C. 1413, Everest seeks services from the District for special education students enrolled in Everest in the same manner as is provided to students in other District schools. Everest will follow the District and SELPA policies and procedures, and shall utilize SELPA forms in seeking out and identifying and serving students who may qualify for special education programs and services and for responding to record requests and maintaining the confidentiality of pupil records. Everest will comply with District protocol as to the delineation of duties between the District central office and the local school site in providing special education instruction and related services to identified pupils. Everest will request an annual meeting between Everest and the District to review special education policies, procedures, protocols, and forms of the District and the SELPA and District protocol, to ensure that Everest and the District have an ongoing mutual understanding of District protocol and will facilitate ongoing compliance.

Everest acknowledges the importance of cooperating with the District so that the District can provide special education services to Charter School students. Everest agrees to promptly respond to all District inquiries, to comply with reasonable District directives, and to allow the District access to Charter School students, staff, facilities, equipment and records as required to fulfill all District obligations under this Agreement or imposed by law. Everest believes that the allocation of responsibility for the provision of services (including but not limited to referral, identification, assessment, case management, Individualized Education Plan ("IEP") development, modification and implementation) shall be divided in a manner consistent with their allocation between the District and its school sites.

Staffing

All special education services at Everest will be delivered by individuals or agencies qualified to provide special education services as required by California's Education Code and the IDEIA. Charter School staff shall participate in all mandatory District in-service training relating to special education.

It is Everest's understanding that the District will be 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 unless the District directs Everest that current District practice is for the individual school sites to hire site special education staff or the District and Everest agree that Everest must hire on-site special education staff. In that instance, Everest shall ensure that all special education staff hired by Everest is qualified pursuant to District and SELPA policies, as well as meet all legal requirements. The District may review the qualifications of all special education staff hired by Everest (with the agreement of the District) and may require pre-approval by the District of all hires to ensure consistency with District and SELPA policies. The District shall be 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

Everest shall promptly notify the District of all requests it receives for assessment, services, complaints, IEP meetings, reimbursement, compensatory education, mediation, and/or due process whether these requests are verbal or in writing.

Everest shall follow District policies as they apply to all District schools for notifying District personnel regarding the discipline of special education students to ensure District pre-approval prior to imposing a suspension or expulsion. Everest shall assist in the coordination of any communications and immediately act according to District and SELPA policies relating to disciplining special education students.

Identification and Referral

Everest shall have the responsibility to identify, refer, and work cooperatively in locating Charter School students who have or may have exceptional needs that qualify them to receive special education services. Everest will implement District and 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 by Everest for special education only after the resources of the regular education program have been considered, and where appropriate, utilized.

It is Everest's understanding that the District shall provide Everest with any assistance that it generally provides its schools in the identification and referral processes, and will ensure that Everest is provided with notification and relevant files of all students who have an existing IEP and who are transferring to Everest from a District school. The District shall have unfettered access to all Charter School student records and information in order to serve all of Charter School's students' special needs.

Assessments

The term "assessments" shall have the same meaning as the term "evaluation" in the IDEIA, as provided in Section 1414, Title 20 of the United States Code. The District will determine what assessments, if any, are necessary and arrange for such assessments for referred or eligible students in accordance with the District's general practice and procedure and applicable law. Everest shall work in collaboration with the District to obtain parent/guardian consent to assess Charter School students. Everest shall not conduct special education assessments unless directed by the District.

IEP Meetings

In accordance with the role of the District and the District school sites, the District shall arrange and notice the necessary IEP meetings. IEP team membership shall be in compliance with state and federal law. Everest shall be responsible for having the following individuals in attendance at the IEP meetings or as otherwise agreed upon by the District and Charter School: the Principal and/or Everest designated representative with appropriate administrative authority as required by the IDEIA; the student's special education teacher (if Charter School employee as opposed to District employee); the student's general education teacher if the student is or may be in a regular education classroom; the student, if appropriate; and other Charter School representatives who are knowledgeable about the regular education program at Everest and/or about the student. It is Everest's understanding that the District shall arrange 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 IDEIA, a speech therapist, psychologist, resource specialist, and behavior specialist; and shall document the IEP meeting and provide the notice of parental rights.

IEP Development

Everest understands that the decisions regarding eligibility, goals/objectives, program, services, placement, and exit from special education shall be the decision of the District, pursuant to the District's IEP process. Programs, services and placements shall be provided to all eligible Charter

School students in accordance with the policies, procedures and requirements of the District and of the SELPA and State and Federal law.

IEP Implementation

Pursuant to District policy and how the District operates special education at all other public schools in the District; the District shall be responsible for all school site implementation of the IEP. Everest shall assist the District in implementing IEPs, pursuant to District and SELPA policies in the same manner as any other school of the District. The District and Charter School will need to be jointly involved in all aspects of the special education program, with the District holding ultimate authority over implementation and supervision of services. As part of this responsibility, Everest shall provide the District and the parents with timely reports on the student's progress as provided in the student's IEP, and at least quarterly or as frequently as progress reports are provided for Everest's non-special education students, whichever is more. Everest shall also provide all home-school coordination and information exchange unless directed otherwise by the District. Everest shall also be responsible for providing all curriculum, classroom materials, and modifications and accommodations, unless directed otherwise by the District. Everest shall comply with any directive of the District as relates to the coordination of Everest and District for IEP implementation including but not limited to adequate notification of student progress and immediate notification of any considered discipline of special education students in such matters, the petitioners would notify the District of relevant circumstances and communications immediately and act according to District administrative authority.

Interim and Initial Placements of New Charter School Students

For students who enroll in Everest from another school district outside of the SELPA with a current IEP, the District and Everest shall conduct an IEP meeting within thirty days. Prior to such meeting and pending agreement on a new IEP, the District and Everest shall implement the existing IEP at Everest, to the extent practicable or as otherwise agreed between the District and parent/guardian.

Non-Public Placements/Non-Public Agencies

The District shall be solely responsible for selecting, contracting with, and overseeing all non-public schools and non-public agencies used to serve special education students. Everest shall not hire, request services from, or pay any non-public school or agency to provide education or services to special education students without the prior written approval of the District. Everest shall immediately notify the District of all parental requests for services from non-public schools or agencies, unilateral placements, and/or requests for reimbursement.

Non-discrimination

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

Parent/Guardian Concerns and Complaints

Everest shall follow District policies as they apply to all District schools for responding to parental concerns or complaints related to special education services. Everest shall instruct parents/guardians to raise concerns regarding special education services, related services and rights to the District unless otherwise directed by the District. Everest shall immediately notify the District of any concerns raised by parents.

The District's designated representative, in consultation with Everest's designated representative, shall investigate as necessary, respond to, and address the parent/guardian concern or complaint. Everest shall allow the District access to all facilities, equipment, students, personnel, and records to conduct such an investigation.

Everest and the District shall timely notify the other of any meetings scheduled with parents/guardians or their representatives to address the parent/guardian concerns or complaints so that a representative of each entity may attend. The District, as the LEA, shall be ultimately responsible for determining how to respond to parent concerns or complaints, and Everest shall comply with the District's decision.

Everest and the District shall cooperate in responding to any complaint to or investigation by the California Department of Education, the United States Department of Education, Office of Civil Rights or any other agency, and shall provide timely notice to the other upon receipt of such a complaint or request for investigation.

Due Process Hearings

The District may initiate a due process hearing or request for mediation with respect to a student enrolled in Charter School if the District determines such action is legally necessary or advisable. Everest agrees to cooperate fully with the District in such a proceeding. In the event that the parents/guardians file for a due process hearing, or request mediation, the District and Everest shall work together to defend the case. In the event that the District determines that legal representation is needed, Everest agrees that it shall be jointly represented by legal counsel of the District's choosing.

Everest understands that the District shall have sole discretion to settle any matter in mediation or due process. The District shall also have sole discretion to file an appeal from a due process hearing or take other legal action involving any Charter School student necessary to protect its rights.

SELPA Representation

It is Everest's understanding that the District shall represent Everest at all SELPA meetings and report to Everest of SELPA activities in the same manner as is reported to all schools within the District.

Funding

Everest understands that it will enter into a MOU with the District regarding Special Education funding, and cannot at this time unilaterally dictate the funding relationship between the District and Everest. Everest anticipates, ***without binding the District to these terms***, that based upon State and Federal law that the fiscal relationship could be summarized as follows:

Retention of Special Education Funds by the District

The District shall retain all state and federal special education funding allocated for Charter School students through the SELPA Annual Budget Plan, and shall be entitled to count Charter School students as its own for all such purposes.

Retention of ADA Funds by the District for Non-Public Placements

The Parties acknowledge that the District may be required to pay for or provide Charter School students with placements at locations other than at Everest's school site in order to provide them with a free appropriate public education. Such placements could include, without limitation, programs or services in other District schools, in other public school districts within the SELPA, in a County Office of Education program, in a non-public school, at home, at a hospital, or in a residential program. When such programs or services are provided at District expense, the District shall be entitled to receive from Everest the pro rata share of all funding received for such student, including, without limitation, all ADA funds, based on the number of instructional days or minutes per day that the student is not at Everest site.

Contribution to Encroachment

Everest shall contribute its fair share to offset special education's encroachment upon the District's general fund. Accordingly, Everest shall pay to the District a pro-rata share of the District's unfunded special education costs ("Encroachment"). At the end of each fiscal year, the District shall invoice Everest for Everest's pro-rata share of the District-wide Encroachment for that year as calculated by the total unfunded special education costs of the District (including those costs attributable to Charter School) divided by the total number of District ADA (including Charter School students), and multiplied by the total number of Charter School ADA. Everest ADA shall include all Charter School students, regardless of home district.

Everest is eager to discuss the above arrangement, or a mutually agreed upon reasonable alternative in our discussions with the District to develop the MOU.

Services for Students under the IDEIA when the School Becomes an LEA and Member of SELPA

As stated above, upon charter approval, Everest will apply for SELPA membership. Everest has already met with the SELPA Administrator, Lauren O'Leary on June 12, 2008, and has reviewed and discussed the application process, the Local Plan, and Charter School Policy. Everest recognizes that the SELPA may approve a conditional membership for the first year of operation as an LEA within the SELPA. Should the San Mateo County SELPA deny membership, Everest reserves the right to seek membership within alternative SELPAs in accordance with the applicable Local Plans and Charter School policies adopted therein. The following language applies while Everest is an LEA and member of the SELPA pursuant to Education Code Section 47641(a):

Upon approval as a member of the SELPA, the Charter School shall be solely responsible and liable for providing special education services under the Individuals with Disabilities Education Improvement Act ("IDEIA") (20 U.S.C. 1400, et seq.) with respect to eligible students. All obligations of the District recited above with respect to identifying, assessing, and serving special education students will default to Everest. Everest shall comply with all applicable State and Federal special education laws and the SELPA Local Plan and policies and procedures. As an LEA, Everest shall receive its State and Federal special education funds directly from the SELPA in accordance with the SELPA local allocation plan and shall utilize those funds to provide special education instruction and related services to eligible pupils. As an LEA, Everest shall be solely responsible for all special education costs which exceed State and Federal special education revenue, and shall participate in the SELPA governance and SELPA-wide benefits in accordance with the Local Plan and SELPA policies and procedures.

III. MEASURABLE STUDENT OUTCOMES AND OTHER USES OF DATA

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

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

Governing Law: *The method by which pupil progress in meeting those pupil outcomes is measured.*

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

Measurable Student Outcomes

The School’s outcomes are designed to align with the school’s mission, curriculum and assessments and the California State Standards for courses offered at Everest. Upon graduation from the School, students will have demonstrated the following which indicate their ability to be self-motivated, competent life-long learners.

Graduates will be able to meet the Expected School-wide Learning Results (ESLRs):

- Evaluate possibilities to make informed decisions
- Recognize how perspectives shape ideas and decisions
- Effectively articulate processes, ideas and concepts

Graduates will demonstrate mastery (a basic or higher proficiency as assessed by an objective rubric) of the following skills that will indicate their ability to meet the (ESLRs) listed above by earning a passing grade in each of the course required for graduation:

- Analysis
- Application
- Connection
- Evaluation
- Hypothesis
- Use of Evidence

Graduates will demonstrate mastery (a basic or higher proficiency as assessed by an objective rubric) of the California State Content Standards in the following subjects as an indication of their ability to meet the ESLRs:

- English Language Arts 9-10
- English Language Arts 11-12
- Geometry
- Algebra II
- Trigonometry
- Probability and Statistics
- World History, Culture, and Geography: The Modern World
- United States History and Geography: Continuity and Change in the Twentieth Century

- Principles of American Democracy and Economics
- Physics
- Chemistry
- Biology / Life Science

Additionally, Graduates will pursue the following outcomes:

- Complete with a C- or better the UC/CSU entrance requirements (A-G) for college admission
- Apply to and be accepted for admission to at least one four year college or university

Academic Performance Index / Adequate Yearly Progress

Everest is based upon the school model of Summit Preparatory Charter High School, which has consistently performed in the top 20% of the state on the Academic Performance Index (“API”) and which met 7 out of 7 Adequate Yearly Progress criteria. Therefore, the Everest founders believe that the Everest performance on the API will be comparable to SPCHS which is included in Appendix I.

Everest shall pursue continuous growth on the API and if applicable, its API growth target. Everest shall also continuously pursue AYP.

Methods of Measurement

The following assessment tools will be used at the indicated frequency to assess student progress in meeting the desired student outcomes.

Annually, performance on

- California State Standards Exams
- California High School Exit Exam
- California English Language Development Test
- 9th Grade Test of Physical Fitness
- Cumulative Final Exams
- Advanced Placement Exams
- PSAT
- SAT I
- SAT II

Each Semester

- Progress in coursework
- Progress toward achieving Personalized Learning Plan goals
- Progress toward achieving Individual Education Plan (IEP) goals

Ongoing, student performance against school rubrics for the following tasks:

- Experiment design
- Problems of the Week

- Research Projects
- Revision Process
- Complex Instruction Activity
- Socratic Seminar
- Classroom Discussion
- Structured Academic Controversy
- Peer Assessment
- Persuasive Speech
- Essay
- Lab Report
- Self Assessment

Upon Graduation

- Completion of all graduation requirements
- Applications to four year colleges
- Acceptance letters to four year colleges

Use and Reporting of Data

The primary tool to be used for capturing student data is PowerSchool, a database designed specifically for school use. In addition, the school will utilize the Naviance data base system to capture all college data. The two systems combined have the capability to record results for all of the tools described in the previous section.

Collection

- Standardized assessment results are all available electronically and are uploaded by the Executive Director or his/her designee.
- All results from assessments given at school are input by faculty members.
- All information pertaining to student goals is input by mentors or RSP teachers.
- Seniors, mentors and parents enter all college data into the Naviance system.

Analysis

- Individual students, their parents and mentor will analyze each student's individual performance on all of these measures listed below in the context of their semi-annual Personalized Learning Plan discussions.
- The school faculty will analyze data from all of the tools listed for individual students, as well as school-wide, at least two times per year.
- The Board will review the data and the faculty's analysis of it at least two times per year.

Reporting

- Results from all of the tools listed above are available for each individual student and his parents to view at all times via a secure web-based PowerSchool platform that can be accessed from any internet connection or on specifically designated computers at the school during regular operating hours.

- Annually, the school will publish a School Accountability Report Card (SARC) that will be posted on the school's website and made available in the school lobby.
- On an as-needed basis, the School will publish bulletins reporting general student or school performance data.

Continuous Improvement

- Everest is committed to using student performance data to refine and improve the educational program. Specifically, the faculty will devote substantial amounts of time during the two intersession periods to analyze the data, and to propose research-based changes to the educational program based upon it. Changes will be adopted based on full faculty consensus and planning for implementation will occur during the intersession periods. Additionally, the school will complete an extensive self-study in an effort to become an accredited school through the Western Association of Schools and Colleges ("WASC").

District Visitation/Inspection

Everest will comply with a District requested visitation process to enable the District to gather information needed to validate the school's performance and compliance with the terms of this charter. However, Everest agrees to and submits to the right of the District to make random visits and inspections or observations in order to carry out its statutorily required oversight in accordance with Education Code Section 47607.

Response to Inquiries

Pursuant to Education Code Section 47604.3 the School shall promptly respond to all reasonable inquiries including, but not limited to inquiries regarding its financial records from the District, the County Office of Education, County Board of Education, and the State Superintendent of Public Instruction.

IV. GOVERNANCE STRUCTURE

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

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

Legal Status

The Summit Institute has constituted itself as a California non-profit public benefit corporation pursuant to California law and has applied for 501(c)(3) tax exempt status, as The Summit Institute. The Summit Institute’s Amended Articles of Incorporation state:

The specific purposes of this Corporation are as follows: (1) to train, consult and advise California public school teachers and administrators, and to provide support and administrative services to California public schools; and (2) to manage, operate, guide, direct and promote one or more California public charter schools.

Pursuant to the second stated legal purpose of The Summit Institute, Everest will be operated by The Summit Institute in accordance with Education Code Section 47604(a). Everest shall be governed pursuant to the corporate bylaws adopted by the Board of Directors of The Summit Institute which shall be consistent with the terms of this charter, the Charter Schools Act, and all other applicable laws. The Summit Institute Articles of Incorporation and approved by-laws are included in Appendix J.

Everest shall operate autonomously from the Sequoia Union High School District, with the exception of supervisory oversight as required by statute. Pursuant to Education Code Section 47604(c), the Sequoia Union High School District shall not be liable for the debts and obligations of The Summit Institute or Everest, operated as a California non-profit, public benefit corporation or for claims arising from the performance of acts, errors, or omissions by the school, as long as the Sequoia Union High School District has complied with all oversight responsibilities required by law.

Board of Directors

The Summit Institute is governed by a Board of Directors (the “Board”). The Board shall be ultimately responsible for the operation and activities of the School. The Board shall be governed in its operations and its actions by the corporate bylaws of the organization which shall be consistent with the charter, the Charter Schools Act and all other applicable laws. The primary methods for executing their responsibilities are to create, adopt and monitor a long term strategic plan and associated budget, and to employ and evaluate the Executive Director of Everest. The day-to-day management of the School shall be by the Executive Director, and overseen by a governance council, whose chairman will be a member of the Board.

The Board consists of at least four members who will govern The Summit Institute and should not exceed fourteen members. Each Board member will serve a three year term, with the exception of the Chief Executive Officer who will serve on the board the entire time he/she is employed. Terms will be staggered to ensure that at any given time no more than one third of the members have less than one year of experience on the board. New board members will be mentored by experienced members during their first

year. Board members are not subject to a limit on the number of terms they may serve. Initial Board members' terms will expire according to the Initial Board of Directors with Term Expiration Dates chart, included below.

The initial Board is approved as the governing body for The Summit Institute. The initial Governance Council is approved by The Summit Institute Board of Directors. All future appointments to the Board and Governance Council will follow a Nomination and Appointment Process outlined in the Bylaws. Board Members and Governance Council members shall have experience in one or more areas critical to charter schools success: education, school administration, school finance, corporate structure, accounting, legal compliance, leadership or fundraising.

Initial Board of Directors with Term Expiration Dates

Member	Position	Term Expiration Date
Robert Oster	Chairperson	July 2011
Steven Humphreys	Finance Committee Chairperson	July 2011
Stacey Keare	Compliance Committee Chairperson	July 2011
Blake Warner	Governance Council Chairman	July 2011
Diane Tavenner	Chief Executive Officer	No expiration date

Initial Everest Governance Council Members with Term Expiration Dates

Member	Position	Term Expiration Date
Blake Warner	Chairperson	July 2011
Robyn Yilmaz	Member	July 2011
Lisa Shupp Mules	Member	July 2011

In addition, in accordance with Education Code Section 47604(b), the authority that grants the charter to a charter school to be operated by a nonprofit public benefit corporation shall be entitled to a single representative on the Board of Directors of The Summit Institute.

The Board and Governance Council will meet on a regular basis. The responsibilities of the Board and Governance Council include but are not limited to:

- Uphold the mission of the School
- Oversee the implementation of the charter
- Approve and monitor the school budget, fiscal reports, and the School's fiscal practices
- Approve all contracts and expenses
- Receive and review the yearly independent financial audit
- Approve and monitor the school's facility arrangements and plans
- Oversee and evaluate the Executive Director
- Hire the Executive Director
- Hire Everest employees upon recommendation of the Executive Director
- Employee action upon recommendation of the Executive Director
- Approve Board Policies

The Board will comply with all federal, state and local laws that are applicable to independent public charter schools, including but not limited to the Brown Act and the Political Reform Act. The Summit Institute shall adopt a conflicts code, a draft of which is included in Appendix K. The organization will retain its own legal counsel when necessary, and will purchase and maintain, as necessary, general liability, officers and directors', property, workers' compensation, and unemployment insurance policies.

The Summit Institute may initiate and carry out any program or activity, or may otherwise act in any manner which is not in conflict with or inconsistent with, or preempted by any law and which is not in conflict with the purposes for which charter schools are established.

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 audits, 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.

The Board of Directors and Governance Council members will attend an annual in-service for the purposes of training individual board members on their responsibilities with topics to include at minimum Conflicts of Interest, and the Brown Act.

Executive Director

The Executive Director of Everest is to the Board of Directors what a Chief Executive Officer (CEO) is to a corporate board. The Executive Director will work full-time within the school and will communicate directly with the Board of Directors and to the District Board of Trustees through its Superintendent or designee as necessary. The Executive Director is fully responsible for the execution of all Board policy, all day-to-day operations, and all functions of the school.

The responsibilities of the Executive Director or his/her designee may include, but are not limited to, the following:

- Attend District Administrative meetings as necessary and stay in direct contact with District regarding changes, progress, etc.
- Develop Board meeting agendas in conjunction with the Board Chairman in compliance with the Brown Act.
- Supervise all employees of the School.
- Provide timely performance evaluations of all School employees.
- Propose policies for adoption by the Board.

- Provide comments and recommendations regarding policies presented by others to the Board.
- Communicate with School legal counsel and any outside consultants.
- Stay abreast of school laws and regulations.
- Approve all purchase orders, pay warrants, and requisitions and, upon approval, forward on for processing.
- Participate in the dispute resolution procedure and the complaint procedure when necessary.
- Establish and execute enrollment procedures.
- Provide all necessary financial reports as required for proper ADA reporting.
- Make budget line item revisions when necessary and report changes regularly to the Board.
- Develop and administer the budget in accordance with generally accepted accounting principles.
- Present a quarterly financial report to the Charter Board.
- Provide assistance and coordination to the faculty in the development of curriculum.
- Oversee parent/student/teacher relations.
- Attend IEP meetings when necessary.
- Supervise student disciplinary matters.
- Coordinate the administration of Standardized Testing.
- Plan and coordinate student orientation.
- Attend all Charter Board meetings and attend as necessary at District Board of Education meetings as the charter representative.
- Establish procedures designed to carry out Charter Board policies.

Board Committees

The Board may appoint one or more committees comprised of faculty, parents, community members or other members of the public with varying areas of expertise. The purpose of a committee is to provide advice, expertise and resources as necessary related to charter schools, finances, facilities, and other areas relevant to the success of the school. The committees will be selected by the Board of Directors.

Parent Participation

As the school is being established to serve the needs of the students, it is imperative that families are actively involved. An Everest Parent Organization will be established to facilitate communication between all members of the organization and to bring needed human resources to help meet the goals and objectives of the school.

Everest expects that all parents or guardians of Everest students contribute at least 30 hours (Community Hours) per family each school year. There are a variety of on-site and at-home, short-term and ongoing, day-time and evening opportunities. The assignment, managing, and tracking of community hours are the responsibility of the Everest Parent Organization. All membership requirements, responsibilities, job descriptions and procedures for the organization will be outlined in the Student and Parent Handbook. All parents and guardians are notified of their responsibilities via the Parent/Student Handbook that is distributed during the mandatory orientation and also available on the school website and in the lobby of the school.

The Parent Organization will be led by a leadership team. The leadership team is comprised of at least 10 parents and meets regularly (at least once per month). The team is led by two Co-Presidents. One of the Presidents is bi-lingual in English and Spanish. A Parent Group Organizational Chart is included in Appendix L. Members of this team meet weekly with the school administration to bring parent community questions, concerns, and ideas to the school administration. Additionally, this meeting is used to coordinate the efforts of the parent organization with the school's needs.

Other Opportunities for Parent Involvement

In addition to community hours, Everest parents are strongly encouraged to become actively involved in the school and their child's education. Several opportunities for parent involvement exist and include:

- Parents participate in the annual development of their child's Personalized Learning Plan.
- Parents are encouraged to attend the several Parent Education Nights held each year. Evenings are planned by the parent organization in conjunction with the school administration. Meetings address such topics and college preparation, financial aid, SAT prep, school finances, and organizational planning.
- Parents are invited to all school social functions.

V. HUMAN RESOURCES

Qualifications of School Employees

“The qualifications to be met by individuals to be employed by the school.”

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

Everest will recruit and employ professional, effective and qualified personnel for all administrative, instructional, and non-instructional support positions. All employees will demonstrate a belief in the mission, program design, instructional philosophy, and curriculum documented in this charter.

In accordance with Education Code 47605(d)(1), Everest shall be nonsectarian in its employment practices and all other operations. Everest shall not discriminate against any individual (employee or pupil) on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). All employees are expected to possess the personal characteristics, skills, knowledge and experience required by their job description as determined by the school. All employees must comply with the employee processing policies and procedures (to include, but not limited to, fingerprints, criminal records, proof of identity, right to work in the United States, and TB screening).

Specific Qualifications for all Staff

The Board of Directors shall define specific employee minimum qualifications that shall include, but not be limited to, the following:

- Commitment of time, energy, and effort in developing Everest’s program.
- Belief in the basic philosophy of emphasizing the core curriculum.
- Commitment to working with parents as educational partners.
- Strong, written and verbal communication skills.
- Knowledge of the developmental needs of students.
- Awareness of the social, emotional and academic needs of the students.
- Ability to plan cooperatively with other staff.
- Willingness to continue education through additional courses and training, workshops, seminars and staff development.
- Active participation in faculty meetings.
- Focus on working closely with the school faculty by providing any information regarding a student's behavior change, attitude and/or classroom performance.
- Take a leadership role in some aspect of the School’s development.

Administrators

The Executive Director and Dean of Students at Everest shall possess leadership abilities and a comprehensive educational vision that is consistent with the school's mission and educational program. In addition, the Executive Director shall possess skills in hiring and supervising excellent teachers, and, if possible, business experience.

Everest administrators should possess a masters degree or higher in education and have demonstrated at least three years of successful teaching experience. Everest administrators will demonstrate proficiency on the California/Interstate School Leader Licensure Consortium's six Professional Standards for Educational Leaders. Everest will give preference to administrative candidates who hold a valid California Administrative Services Credential or those who have met the California standard for passage of the School Leaders Licensure Assessment.

Teachers

Instructional employees will hold appropriate California teaching certificates or permits issued by the Commission on Teacher Credentialing. Everest will comply with Section 47605(l), which states:

“Teachers in charter schools shall be required to hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. It is the intent of the Legislature that charter schools be given flexibility with regard to non-core, non-college preparatory courses.”

Everest will retain or employ teaching staff who hold appropriate California teaching certificates, permits, or other documents issued by the Commission on Teacher Credentialing and have experience commensurate with the applicable job specification. The teachers will be of the caliber currently employed by Summit Preparatory Charter High School as represented in Appendix M, which includes short biographies on the 2007-2008 teachers at SPCHS. Additionally, core teachers, as defined by the No Child Left Behind Act (“NCLB”), shall meet the applicable definitions of the highly qualified requirements as illustrated by this chart published by the California Department of Education:

	“New” to The Profession Holds a Credential or an Intern Credential or Certificate Issued <u>on or after July 1, 2002</u>	“Not New” to The Profession Holds a Credential or an Intern Credential or Certificate Issued <u>before July 1, 2002</u>
GRADE SPAN	HIGH SCHOOL	HIGH SCHOOL

REQUIREMENTS	<p>1) Bachelor's degree</p> <p>2) California Credential or an Intern Credential or Certificate for no more than three years</p> <p>3) Core academic subject competence must be demonstrated by :</p> <p>EXAM: Pass a subject matter examination approved by the CCTC in each subject taught</p> <p>or</p> <p>COURSEWORK: In each core area taught complete a:</p> <p>A) CCTC approved subject matter program, or B) Major, or C) Major equivalent, (32 semester units or the equivalent) or D) Graduate degree</p>	<p>1) Bachelor's degree</p> <p>2) California Credential or an Intern Credential or Certificate for no more than three years</p> <p>3) Core academic subject competence must be demonstrated by :</p> <p>EXAM: Pass a subject matter examination approved by the CCTC in each subject taught</p> <p>or</p> <p>COURSEWORK: In each core area taught complete a:</p> <p>A) CCTC approved subject matter program, or B) Major, or C) Major equivalent, (32 semester units or the equivalent) or D) Graduate degree</p> <p>or</p> <p>ADVANCED CERTIFICATION: National Board Certification in the core area</p> <p>or</p> <p>HOUSSE: Complete California's High Objective Uniform State Standard of Evaluation</p>
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In addition to the specific qualifications expected of all Everest staff members, the following qualifications are expected of all teachers:

- Strong instructional leadership.
- Caring about students and their success in learning.
- Familiarity with or willingness to be trained in Everest's curriculum, instructional methodology, and procedural compliance.
- Demonstrable effectiveness in teaching, mentoring, and writing.
- Commitment to the philosophy of the charter school and the mission.
- Accepting the parent as a vital partner in the learning process.
- Working flexible schedules in order to accommodate the varying needs and schedules of enrolled students, parents and community.
- Deep commitment to student achievement.
- Accepting responsibility and accountability for instruction.

The expectations and responsibilities of Everest's teachers are included in Appendix N which details The Role of the Everest Educator.

Everest may also employ or retain non-certificated instructional support staff in any case where a prospective staff member has an appropriate mix of subject matter expertise, professional experience, and the demonstrated capacity to work successfully in an instructional support capacity. Instructional support staff will not serve as the teacher of record for individual pupils and may not assign grades or approve student work assignments without the approval of the teacher of record, except in non-core, non-college

preparatory courses and activities. All non-instructional staff will possess experience and expertise appropriate for their position with Everest as outlined in the school's Employee Handbook. A model upon which the Everest Employee Handbook will be drafted is contained in Appendix O.

Non-Instructional

The Office Manager must possess experience and expertise appropriate for their position as outlined in the following job specification.

Qualifications:

- Spanish fluency (written and verbal)
- Experience / expertise with Microsoft Office Suite Software (Outlook, Word, Excel, Access and PowerPoint)

Responsibilities:

- Receptionist for the school's main entrance
 - Make and receive calls, faxes and e-mails
 - Greet students, parents, and visitors
 - Ensure that the School Community information desk and files are properly kept and updated
 - Maintain the school calendar
 - Open, read, and/or route mail as directed
 - File school documents
- Assist the Executive Director
 - Assist in creating and maintaining all confidential school records, files and transcripts
 - When appropriate, communicate via phone, fax and e-mail on behalf of the Executive Director
 - Schedule meetings and appointments
 - Prepare informational packets
- Student Attendance
 - Monitor the teacher's electronic entries into the student attendance system
 - Update student attendance based on calls and notes from parents
 - Prepare weekly, monthly, quarterly and semesterly reports
- Student Information
 - Process student information, data, and forms
 - Update student fee information as fees are turned in and collected
- Manage School Supplies and Instructional Materials
 - Inventory, order and organize all school supplies and materials
- Performs other related duties as assigned

Personal Qualities:

- Ability to deal effectively with a wide variety of personalities and with situations requiring diplomacy, friendliness, and poise
- Maturity and judgment
- Willingness to assume wide range of responsibilities
- Excellent interpersonal skills
- Independent worker
- Neat and clean appearance
- Willingness to continually improve
- Good organizational skills
- Good communication skills
- Flexible

Services Provided Via Contractors

Everest will receive service from employees of organizations with which Everest contracts. Additionally, Everest will receive services from The Summit Institute. Everest will ensure that the qualification of the employees of contractors and The Summit Institute are consistent with the expectations for Everest's employees.

Professional Development

Each faculty and staff member has a Personalized Educator Plan ("PEP"). The plan is developed by the employee with the input and approval of the Executive Director and using the template which is included in Appendix P. The plan asks the employee to identify a set of professional development goals from seven different areas that have been identified as the strands most pertinent to the success of an Everest educator. They include content, curriculum, instruction, assessment, mentoring, leadership, and knowing and understanding learners. The plan identifies the teacher's present level of performance in each strand using a standard rubric. The plan indicates the teacher's annual goals for growth in one or more strand, how the goals will be measured and what will define success. Additionally, a strategy for achieving the goals is designed, and subsequently supported by the school and its professional development activities throughout the year.

Compensation and Benefits

"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."

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

The financial compensation for school employees will include a base salary that is competitive with like jobs in other local public high schools and the opportunity to earn an annual achievement bonus. The achievement bonus will be awarded based upon the employee successfully achieving goals and objectives that are mutually agreed upon by both the employee and the Executive Director and documented in the Personalized Educator Plan (PEP).

The Executive Director will oversee the arrangements for retirement coverage for all Everest employees.

All certificated employees of Everest shall participate in the State Teachers Retirement System (STRS). All classified employees will participate in a 401(a) retirement plan.

Everest will make all required employer contributions. Everest will also make contributions for workers' compensation insurance, unemployment insurance and any other payroll obligations of a California employer.

Employee Representation

"A declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act."

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

For the purposes of the Educational Employment Relations Act ("EERA"), The Summit Institute as the California non-profit public benefit corporation operating Everest is deemed the exclusive public school employer of the employees of the charter school. Thus, the collective bargaining contracts of local school districts shall not be controlling. Everest recognizes the employees' rights under the EERA provisions to organize for collective bargaining.

Persons employed by the school are not considered employees of the Sequoia Union High School District for any purposes whatsoever.

Rights of School District Employees

"A description of the rights of any employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school."

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

All employees of Everest shall be considered the exclusive employees of The Summit Institute and not any school district or the Sequoia Union High School District unless otherwise mutually agreed in writing. Employees of the District who resign from employment to work at The Summit Institute and who later wish to return to the District shall be treated the same as any other former District employee seeking reemployment in accordance with District policy, applicable law, and applicable bargaining agreements. The Summit Institute shall not have any authority to confer any rights to return on District employees. Sick or vacation leave or years of service credit at the Sequoia Union High School District or any school district shall not be transferred to the Charter School.

A former employee of any school district shall have the following rights:

- Any rights upon leaving the employment of a local education agency to work in the charter school that the local education agency may specify.
- Any rights of return to employment in a local education agency after employment in the charter school as the local education agency may specify.

- Any other applicable rights upon leaving employment to work in the charter school that are outlined in law.

Health and Safety

“The procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the school furnish the school with a criminal record summary as described in Section 44237.”

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

A healthy and safe environment is imperative to productive teaching and learning. Everest will adopt and implement a comprehensive set of health, safety, and risk management policies. These policies will be developed in consultation with the School’s insurance carriers. These policies will be reviewed and updated as required in response to any change in conditions or operations that may affect the health and safety of students and staff. The policies will be incorporated as appropriate into the Student / Parent and the Employee handbooks. The Board will take action to adopt a set of Health and Safety Policies. A draft set of policies is contained in Appendix R. Finalized health and safety policies and procedures will be submitted to the District no later than 90 days prior to operation.

The following summarizes the health and safety policies of Everest:

Procedures for Background Checks

Employees and contractors at Everest will be required to submit to a criminal background check and furnish a criminal record summary as required by Ed. Code 44237 and 45125.1. New employees not possessing a valid California Teaching Credential must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The Executive Director of the school shall monitor compliance with this policy and report to the Charter School Board of Directors on a quarterly basis. The Board President shall monitor the fingerprinting and background clearance of the Executive Director. 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.

Role Of Staff As Mandated Child Abuse Reporters

All classified and certificated staff will be mandated child abuse reporters and will follow all applicable reporting laws.

TB Testing

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

Immunizations

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

CPR /First Aid Training

All employees at Everest should be CPR/First Aid trained.

Medication in School

Everest will adhere to Education Code Section 49423 regarding administration of medication in school.

Vision/Hearing/Scoliosis

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

Emergency Preparedness

Everest shall adhere to an Emergency Preparedness Plan drafted specifically to the needs of the school site in conjunction with law enforcement and the Fire Marshall. This plan shall include but not be limited to the following responses: fire, flood, earthquake, terrorist threats, and hostage situations. If assuming a facility used prior as a School site, any existing emergency preparedness plan for the school site shall be used as a starting basis for updating the handbook for the Charter School.

Blood borne Pathogens

Everest shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the work place. The Summit Institute Board shall establish a written infectious control plan designed to protect employees and students 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 bodily fluids through injury or accident, staff and students shall follow the latest medical protocol for disinfecting procedures.

Facility Safety

Everest shall comply with Education Code Section 47610 by either utilizing facilities that are compliant with the California Building Standards Code. The School agrees to maintain visitor policies, test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times. The School shall conduct fire drills at least twice per school year in accordance with Title 5 California Code of Regulations Section 550.

Drug Free/Smoke Free Environment

Everest shall maintain a drug and alcohol and smoke free environment.

Integrated Complaint and Investigation Procedure

Everest will adopt a comprehensive complaint and investigation procedure to centralize all complaints and concerns coming into the Charter School. Under the direction of the Board of The Summit Institute, the Executive Director shall be responsible for investigation, remediation, and follow-up on matters submitted to the Charter School through this procedure.

Comprehensive Sexual Harassment Policies and Procedures

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

Procedures

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

Dispute Resolution

“The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.”

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

Intent

The intent of this dispute resolution process is to (1) resolve disputes within the school pursuant to the school’s policies, (2) minimize the oversight burden on the District, (3) ensure a fair and timely resolution to disputes, and (4) frame a charter oversight and renewal process and timeline so as to avoid disputes regarding oversight and renewal matters.

Public Comments

The staff and Board and Sequoia Union High School District agree to attempt to resolve all disputes regarding this charter pursuant to the terms of this section. Both shall refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process.

Disputes Arising from within Everest

Disputes arising from within the school, including all disputes among and between students, staff, parents, volunteers, advisors, partner organizations, and governing board members of the school, shall be resolved pursuant to policies and processes developed by the School. The Sequoia Union High School District shall not intervene in any such internal disputes without the consent of the Board of Directors of the Charter School and shall refer any complaints or reports regarding such disputes to the Board of Directors or the Executive Director for resolution in keeping with the School's policies. The District agrees not to intervene or become involved in the dispute unless the dispute has given the District reasonable cause to believe that a violation of this charter or related laws or agreements has occurred, or unless the Board of Directors of the school has requested the District to intervene in the dispute.

Disputes Between Everest and the Sequoia Union High School District

The School and the District will always attempt to resolve any disputes between them amicably and reasonably without resorting to formal procedures.

- **Actions That Could Lead to Revocation: Charter School Due Process**
In the event that the District determines that the School has engaged in an act that could lead to revocation of the charter, the District and the Charter School shall have a face to face meeting within 10 days of the Superintendent's and/or designee's determination that a violation has occurred. Present in the face-to-face meeting shall be at least the Superintendent of the District or designee and the School's Executive Director. If after such meeting, the District determines that a violation has occurred which requires a cure, the District may send a formal written notification to the School outlining the alleged violation and demanding the violation be cured. The School shall have a reasonable amount of time after the date such formal written notice was sent to cure the violation. If the violation cannot be cured within the time period specified by the District, the parties may agree to another predetermined time to commence to cure and diligently prosecute the cure to completion. Thereafter, if necessary, revocation of the charter may be commenced by the District Board of Education in accordance with Education Code Section 47607 or applicable law.
- **Disputes not Leading to Revocation: Dispute Resolution**
In the event that Everest and the Sequoia Union High School District have disputes regarding the terms of this charter or any other issue regarding the School and the District's relationship, both parties agree to follow the process outlined below.

In the event of a dispute between Everest and the School District, the staff and Board of the school and the District administration agree to first frame the issue in written format and refer the issue to the Superintendent of the School District and the Executive Director of Everest. In the event that the District believes that the dispute relates to an issue that could lead to revocation of the charter, this shall be specifically noted in the written dispute statement. The party initiating the dispute resolution process shall prepare and send to the other party a notice of dispute that shall include the following information: (1) the name, addresses and phone numbers of designated representatives of the party; (2) a statement of the facts of the dispute, including information regarding the parties attempts to resolve the dispute; (3) the specific sections of the charter, memorandum of understanding, law etc. that are in dispute; and (4) the specific resolution sought by the party. Within ten days from receipt of the notice of dispute the

representatives from the Charter School shall meet with representatives from the District in an informal setting to try to resolve the dispute.

If the informal meeting fails to resolve the dispute the party initiating the dispute resolution process shall notify the other party (the responding party) in writing that it intends to proceed to mediation of the dispute and shall request the State Mediation and Conciliation Service to appoint a mediator within seven days to assist the parties in resolving the dispute. The initiating party shall request appointment of a mediator who is available to meet as soon as possible but not later than 45 days after receipt of the request for appointment. If the State Mediation and Conciliations Service is not available the parties shall mutually agree upon a mediator. The party initiating the dispute shall forward a copy of the notice of the dispute to the appointed mediator. The responding party shall file a written response with the mediator and serve a copy on the initiating party within seven days of the first scheduled mediation. The mediation procedure shall be entirely informal in nature; however, copies of exhibits upon which either party bases its case shall be shared with the other party at least five (5) business days before the mediation. The relevant facts should be elicited in a narrative fashion to the extent possible, rather than through examination and cross-examination of witnesses. The rules of evidence will not apply and no record of the proceedings will be made. If an agreement is reached, the agreement shall be reduced to writing and shall be signed by the District and the Charter School. If the District and the Charter School fail to meet within the specified time line, have not reached an agreement within 15 days from the first meeting held by the mediator, or if the mediator declares the parties at impasse, either party may terminate mediation. In the event that mediation fails to resolve the entire dispute, the parties shall proceed to nonbinding arbitration.

A party initiating the dispute resolution process shall notify the responding party that it intends to proceed to nonbinding arbitration and shall request the California State Mediation and Conciliation Service in writing to prepare a list of five arbitrators within five days. The parties may obtain assistance from another recognized dispute resolution organization or person instead of the State Mediation and Conciliation Service if mutually agreed. Beginning with the responding party, the parties shall alternatively strike names from the list until only one name remains. Striking names from the list shall occur within five days of receipt of the list by the responding party. The party initiating the dispute resolution process shall contact the State Mediation and Conciliation Service regarding the selection of the arbitrator. Arbitration shall be scheduled and conducted within 45 days of selection of the arbitrator. No later than five (5) days prior to the arbitration, the parties shall meet to attempt to frame the issue or issues to be submitted to the arbitrator, shall share all evidence, determine whether a court reporter is necessary, and attempt to settle the dispute, if possible. The function of the arbitrator shall be to hold an arbitration hearing concerning the dispute and to render a nonbinding decision within 30 days after the close of the hearing. The arbitrator is empowered to include in any award such remedies he or she judges to be proper. All costs of the arbitration, including but not limited to, the arbitrator's fees, per diem, travel, and subsistence expenses, and the costs, if any, of the hearing room and transcription of the hearing, shall be borne equally by the District and the Charter School.

This dispute resolution procedure shall not apply to any request for equitable or injunctive relief prior to the mediation to preserve the status quo pending the completion of that process. Except for such an action to obtain equitable or injunctive relief, neither party may commence a civil action with respect to the matters submitted to dispute resolution until that process is complete.

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

Student Admissions Policies and Procedures

Admission requirements, if applicable.

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

The Board of Directors shall determine all policies, processes, and procedures governing application, admission, and enrollment at Everest. All students attending Everest must follow the application, admission, and enrollment policies of the school.

The application packet for admission to Everest shall include information that allows students and parents to be informed about the school's operation as a charter school, its educational programs, the academic and behavioral expectations of students, and the rights and responsibilities of students and parents who wish to become part of the School. The application packet shall include:

- A brief description of what a charter school is and how it differs from regular public schools.
- A brief description of The Summit Institute.
- Everest's Mission Statement and a summary of the School's educational philosophy.
- A description of Everest's educational program including a school calendar, daily schedule, core curriculum, enrichment and extracurricular programs, attendance expectations, grading policy, testing and evaluation procedures, promotion and retention policy, and graduation standards (exit outcomes).
- An overview of the academic performance of students who have attended Everest (e.g., API results) or those who have attended SPCHS until data is available for Everest students.
- A description of Everest's governance structure and how the School encourages parental involvement.
- A listing of the rights and responsibilities of Everest parents and teachers.
- Descriptions of admission criteria, public random drawing preferences, conditions of enrollment, and consequences of misrepresenting admission and enrollment information (as described in the following sections).
- School Capacity.

The Board shall have the sole authority to determine the size and grade-level breakdown of the student body at Everest. The determination of school capacity shall be based on, among other things, the school's academic program, the school's fiscal viability, the educational needs of currently enrolled students, the capacity of the school site, and the level of interest shown by students who want to attend the school.

Admission Criteria

Everest shall be open to all students at the appropriate grade levels who wish to attend within the minimum and maximum age requirements specified in applicable law. Everest shall be open to all students without regard for the place of residence of students or parents within California except as provided in Education Code Section 47605(d)(2). If oversubscribed, admission to Everest, except for existing students, shall be determined by public random drawing in accordance with the preferences given in the next section.

The only admission requirement is that students wishing to attend Everest must follow the school's admission procedures with respect to completing applications, and enrollment forms and documents by the announced deadlines. Application deadlines, which will normally be in the winter for admission the following September, shall be coordinated with local public and private schools to give students and their parents opportunity to consider the full range of educational opportunities available to them. Late applications for admission shall result in loss of admission and enrollment preferences as listed below. Late return of enrollment packets following notification of admission shall result in loss of place on the admission priority list discussed below.

There shall be no admission testing or other evaluation required of any applicant. Everest shall not charge an application fee nor shall it charge tuition [California Education Code Section 47605(d)(1)]. Everest will encourage parent contributions to help fund Everest's educational programs but shall not require any monetary contribution as a condition for application, admission, enrollment, or participation in any of the school's required educational activities.

Everest shall be nonsectarian in its admission and enrollment policies and shall not discriminate against any student on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). [Education Code Section 47605(d)(1)].

Public Random Drawing and Preferences

If the number of students who wish to attend Everest within each grade level exceeds the school's capacity, attendance, except for existing students shall be determined by a public random drawing for each grade level conducted in advance of each academic semester². In accordance with Education Code Section 47605(d)(2), preference in the public random drawing shall be provided in the following order of declining priority:

1. Children of current employees and board members of the school³
2. Siblings of currently enrolled students or graduates of Everest⁴

² While receiving Public Charter Schools Grant Program funding, this Public Random Drawing shall be held as one single weighted lottery.

³ While receiving Public Charter Schools Grant Program funding, this preference will be handled as an exemption to the public random drawing and limited to 10% of total enrollment and will be limited to children of "faculty".

3. Students residing within the boundaries of the District
4. All other students who wish to attend the School

At the conclusion of the public random drawing, all students who were not granted admission due to capacity shall be given the option to put their name on a wait list according to their draw in the public random drawing. This wait list, called an admission priority list, will allow students the option of enrollment in the case of an opening during the current school year. In no circumstance will a wait list carry over to the following school year. The order of admission of students at any time during the semester shall be based solely on the order of applicants on the admission priority list. Everest shall maintain a list of students interested in transferring to the school. After the admission priority list has been exhausted or at the conclusion of the school year, the school will advertise if a space has become available and applications are being accepted. If more applicants than spaces are available, another public random drawing will be conducted for the open spaces as described above.

Conditions of Enrollment

Everest shall have the following requirements that must be met by each student and their family before beginning classes at the School:

- Attend an orientation session to receive the Student/Parent Handbook.
- Complete enrollment/registration forms including student data sheet, emergency information cards and other required documents.
- Provide records documenting immunizations required by charter schools (as described above)

Research shows the importance of parental involvement in students' achievement; Everest strongly encourages and supports parents' involvement in their children's education. Parents will be expected to volunteer a minimum of 30 hours per year to support the school as outlined in the Parent/Student Handbook. In no circumstance will a parent's inability to meet the volunteer expectation result in an educational detriment to the student.

Admission tests will not be required; however, assessments will be administered to determine individual instructional programs once students are admitted. These tests will serve as diagnostics of students' reading, writing and math skills.

Non-Discrimination

The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.

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

⁴ While receiving Public Charter Schools Grant Program funding, this preference will be handled as an exemption to the public random drawing and limited to siblings of current students.

Everest will strive to recruit a student population that will be reflective of the school age population of the granting agency. Everest will engage in a variety of means and strategies to try to achieve a racially and ethnically diverse student population. These strategies will include:

- Enrollment timeline and process that allow for a broad-based recruiting and application process
- Outreach efforts via neighborhood groups, community organizations, churches and other leadership organizations
- Marketing brochures and TV/radio public service advertisements targeted toward diverse populations and, when needed, in various languages
- Each year the School shall review its racial and ethnic balance and these policies to determine which policies and practices are the most effective in achieving a diverse student population.

A detailed description of the planned activities for recruiting the fall 2009 entering 9th grade class is included in Appendix T.

Public School Attendance Alternatives

“The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.”

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

Students who opt not to attend Everest may attend school district of residence schools or pursue an inter-district transfer in accordance with existing enrollment and transfer policies of their district or county of residence. Parents or guardians of each pupil enrolled in Everest shall be informed that the pupil(s) has no right to admission in a particular school of any local education agency (or program of any local education agency) as a consequence of enrollment in Everest, except to the extent that such a right is extended by the local education agency.

Suspension/Expulsion Procedures

“The procedures by which pupils can be suspended or expelled.”

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

Everest will have a comprehensive set of suspension and expulsion policies which are attached in Appendix U. The policies will be printed and distributed as part of Everest’s Student/Parent Handbook and will clearly describe the school’s expectations regarding attendance, mutual respect, substance abuse, violence, safety, and work habits. Each student and his or her parent or guardian will be required to verify that they have reviewed and understand the policies prior to enrollment. These policies will provide all students with an opportunity for due process and will conform to applicable federal and state law regarding students with exceptional needs.

VII. FINANCIAL PLANNING, REPORTING, AND ACCOUNTABILITY

Budget

“...provide financial statements that include a proposed first-year operational budget, including startup costs, and cashflow and financial projections for the first three years of operation.”

- California Education Code Section 47605(g)

Everest's first year budget is based upon the experience of operating SPCHS for five years. The five year budget, cash flow and assumptions (Appendix V and Appendix W) are reasonable estimates of the school's expenditures given the model school, SPCHS', actuals for 2003-2007. The anticipated revenues are also based on five years of operating experience for an identical school, and the estimates for the 2008-2009 high school revenue limit and categorical block grant given the proposed state budget. Estimates have been provided by both the Charter Schools Development Center, California Charter Schools Association and the California Department of Education's Charter Schools Division. The budget demonstrates that when the school is fully enrolled with 400 students, there will be a very small need for private funding because the school will operate its basic program on the its general purpose entitlement and categorical block grant revenue amounts.

Financial Reporting

The Summit Institute has drafted a complete set of fiscal control policies and procedures (Appendix Q) for Everest operation. Everest shall comply with all financial reporting requirements of Education Code Section 47604.33 and shall comply fully with Education Code Section 47604.3.

Insurance

The Summit Institute agrees that it will acquire and finance general liability, workers compensation, and other necessary insurance of the types and in the amounts required for an enterprise of this size and nature for the operation of Everest. Currently, Summit Preparatory Charter High School and numerous other California charter schools are covered by the Joint Powers Authority through the California Charter Schools Association, which offers the lowest rate available to charter schools. It is Everest's intention to secure coverage with this provider, unless a more prudent option is discovered. A summary of SPCHS's coverage is included in Appendix X, as an example of what Everest will expect for coverage.

Administrative Services

The Summit Institute's Chief Operating Officer coordinates business/administrative services in the following manner:

Personnel Transactions

Personnel changes are issued by the Executive Director after Board action and tracked by the Chief Operating Officer, on personnel tracking sheets. These include offers of employment, verification of ability to be employed in the US and by a California public school, salary adjustments, changes in full-time/part-time status, and any other relevant matters.

Accounting and Payroll

These services are handled as described under the Financial Reporting section and related appendix.

The Summit Institute may seek contracts with the following organizations in the listed categories to replicate the services currently provided to SPCHS at Everest. Selection is based on a maximum fit with the school's needs, combined with minimum cost.

- Extracurricular Activities:
 - The Riekes Center for Human Enhancement
 - The Community School of Music and Arts

Facilities

Everest will operate out of one site within the boundaries of Sequoia Unified School District. Everest wishes to be located in Redwood City, California. Redwood City is the most central location for the student population the school seeks to serve and will provide geographic proximity to its partner and model school, SPCHS. A description of Everest's anticipated facility requirements for the first year of operation is included in Appendix Y.

It is anticipated that the school's facility will be provided by the Sequoia Union High School District per in response to a Proposition 39 ("Prop. 39") request as required by Education Code Section 47614 and its implementing regulations. The District is currently providing a facility to SPCHS in compliance with its legal obligations and Everest expects that the District will comply with a proper Proposition 39 request that will be submitted by Everest according to Education Code Section 47614 and its implementing regulation's timelines and guidelines.

Transportation

The school does not anticipate the need to make arrangements for transportation of the students, except as required by law for students with disabilities in accordance with a student's IEP which shall be handled in accordance with the MOU between the District and Everest if the school operates as a public school of the District for special education purposes, but solely by Everest in accordance with SELPA policy and the IDEIA once Everest becomes an LEA and a member of the SELPA as intended by this charter.

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."

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

An annual independent fiscal audit of the books and records of Everest will be conducted as required under the Charter Schools Act, section 47605(b)(5)(I) and 47605(m). The books and records of the Charter School will be kept in accordance with generally accepted accounting principles, and as required by applicable law and the audit will employ generally accepted accounting procedures. The audit shall be

conducted in accordance with applicable provisions within the California Code of Regulations governing audits of charter schools as published in the State Controllers Guide.

An audit committee appointed by the Board of The Summit Institute will select an independent auditor through a request for proposal format. The auditor will have, at a minimum, a CPA and educational institution audit experience and 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 will be expanded to include items and processes specified in applicable Office of Management and Budget Circulars.

It is anticipated that the annual audit will be completed within four months of the close of the fiscal year and that a copy of the auditor's findings will be forwarded to the District, the County Superintendent of Schools, the State Controller, and to the CDE by the 15th of December of each year. The Executive Director, along with the audit committee, will review any audit exceptions or deficiencies and meet with the District with regard to resolution of audit exception or deficiencies to the satisfaction of the District and shall report to the Board of Directors of The Summit Institute with recommendations. The Board of the Summit Institute 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.

The independent fiscal audit of the Charter School is public record to be provided to the public upon request.

Closure Protocol

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

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

The following procedures shall apply in the event the charter school closes. The following procedures apply regardless of the reason for closure.

Closure of the school shall be documented by official action of the Board of The Summit Institute. The action shall identify the reason for closure. The official action will also identify an entity and person or persons responsible for closure-related activities. The Board of Directors will promptly notify parents and students of the School, the District, the San Mateo County Office of Education, the School's SELPA, the retirement systems in which the 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 pupils' school districts of residence; and the manner in which parents and guardians may obtain copies of pupil records, including specific information on completed courses and credits that meet graduation requirements.

The Board shall ensure notification to the parents and students of the school provides information to assist parents and students in locating suitable alternative programs and the manner in which they can obtain a

copy of their child(ren)'s student record. This notice shall be provided promptly, within 10 business days following the Board's decision to close the school.

Upon proper notification and request by a new school of attendance, student records will be transferred. During the close out process, all pupil records shall be maintained by the "responsibility entity" designated by the Board. Everest shall otherwise assist students in transferring to their next school. All transfers of student records shall be made in compliance with the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. §1232g.

Personnel records shall be maintained and transferred in accordance with applicable law by the "responsibility entity" designated by the Board.

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

The School will ask the District to store remaining original records of Charter School students. All records of the School shall be transferred to the District upon School closure. If the District will not or cannot store the records, the Charter School shall work with the County Office of Education to determine a suitable alternative location for storage.

As soon as reasonably practical, the school shall prepare final financial records. The school shall also have an independent audit completed within six months after closure. The school shall pay for the final audit. The audit shall be prepared by a qualified CPA selected by the school and shall be provided to the District, County Office of Education, and California Department of Education promptly upon 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 Everest.

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

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

As The Summit Institute is organized as a nonprofit public benefit corporation under California law, the Board shall follow the provisions set forth in the California Corporations Code for the dissolution of a nonprofit public benefit corporation, and shall file all necessary filings with the appropriate state and federal agencies.

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

VIII. IMPACT ON THE CHARTER AUTHORIZER

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

Potential Civil Liability Effects

Intent

This statement is intended to fulfill the terms of Education Code Section 47605(g) and provides information regarding the proposed operation and potential effects of the Charter School on the District.

Civil Liability

Everest shall be operated by a California non-profit public benefit corporation, The Summit Institute. This corporation is organized and operated exclusively for charitable purposes within the meaning of Section 501(c) (3) of the Internal Revenue Code and California Revenue and Taxation Code Section 23701d.

Pursuant to the Education Code Section 47604(c), the District shall not be liable for the debts and obligations of the Charter School, operated by a California non-profit 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. Everest 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 Everest.

Further, The Summit Institute and the District shall enter into a memorandum of understanding, wherein Everest shall indemnify District for the actions of Everest under this charter.

The corporate bylaws of The Summit Institute shall provide for indemnification of the School's Board, officers, agents, and employees, and the School will purchase general liability insurance, Board Members and Officer's insurance, and fidelity bonding to secure against financial risks.

District shall be named an additional insured on the general liability insurance that The Summit Institute maintains for the operation of Everest..

The Board of The Summit Institute will maintain and implement appropriate risk management practices as discussed herein, including screening of employees, establishing codes of conduct for students, and dispute resolution.

IX. CONCLUSION

By approving this charter the Sequoia Union School District will be fulfilling the intent of the California Legislature.

Education Code Section 47601. It is the intent of the Legislature, in enacting this part, to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure, as a method to accomplish all of the following:

- (a) Improve pupil learning.*
- (b) Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving.*
- (c) Encourage the use of different and innovative teaching methods.*
- (d) Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the schoolsite.*
- (e) Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system.*
- (f) Hold the schools established under this part accountable for meeting measurable pupil outcomes, and provide the schools with a method to change from rule-based to performance-based accountability systems.*
- (g) Provide vigorous competition within the public school system to stimulate continual improvements in all public schools.*

Everest pledges to work cooperatively with the District to answer any concerns over this document and to present the District with the strongest possible charter proposal requesting a five-year term. Approval of the charter shall be governed by the standards and criteria in Education Code Section 47605.