

Charter Petition
of
Fammatre School

2004

Introduction

The Fammatre staff wishes to operate as a neighborhood dependent conversion charter public school in order to take advantage of some of the flexibility that charter status offers. The school will pursue the mission and vision of the Cambrian School District and the Fammatre commitment to excellence as described in the District's Mission and Vision and Outcomes and Indicators. The term of the charter will be five years.

The conversion to a neighborhood charter public school offers the school community flexibility in two key areas that we need in order to operate differently than current district and state policies will allow. We do not seek nor desire independence from the Cambrian School District. We wish to operate as a dependent charter school, in order to operate with limited independence from the Education Code in only the following two areas:

1. Site level block grants that allow flexibility. Flexibility to receive site level funds in the form of a block grant, rather than specific program funds, in order to utilize these funds to provide flexibility to meet the needs of our students, staff, parents and programs.
2. Area-wide enrollment of students. Fammatre enrolls about twenty percent of its students from outside the Cambrian School District. We will be able to offer attendance options for individuals living outside the district's attendance boundaries who want to continue or begin their K-5 education at Fammatre Elementary School.

Vision

Fammatre School will subscribe to the Mission and Vision of the Cambrian School District. That Mission and Vision is as follows:

Vision Statement

The vision of Fammatre School is to develop responsible citizens for tomorrow who will be lifelong learners by providing a challenging, high quality, academic program designed to meet individual potential supported by collaborative efforts of dedicated students, parents, staff and community.

Statement of Operations

Fammatre School will retain its current operational relationship with the district in all of the following ways:

- Governance by the Cambrian School District Board of Education
- Maintenance and insurance of school facilities.
- Changes, additions or alterations to the facilities

- Maintenance of the non-instructional operations
- Insurance of school personnel and district against liability claims of all current and future district policies
- All current and future contracts agreed upon between the Cambrian School District, Cambrian District Teachers' Association (CDTA) and California School Employee's Association (CSEA) Local Chapter 641 in accordance with the Educational Employment Relations Act (EERA)
- All operations, except interdistrict transfers, currently in place with other neighborhood schools in the district

Education Code 47605 (b) (5) (A)

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.

Fammatre School is a neighborhood school that offers students the promise of an exceptional education in grades kindergarten through five that leads to successful middle school and high school experiences, and the post-secondary options of fulfilling employment or admission to institutions of higher education. This promise is made with the understanding that an education is a shared responsibility of the public schools, parents, community, and the individual learners.

The guiding principles are:

- All children can learn
- All children can succeed
- All children have value
- All children have a right to the best education possible
- All children can be lifelong learners
- All children deserve respect
- All children have a shared responsibility for their education
- All children will have a safe, orderly school environment

CA Education Code 47605 (b) (5) (B)

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 education program.

Fammatre School will be held accountable for all learners meeting the measures of success for the outcomes of the school. Our goal is for all Fammatre students to meet the statewide performance standards developed by the California Department of Education and described in multiple measures. These standards include the subject fields of language arts, mathematics, science, social studies and physical education. All students will participate in state-mandated assessments. Fammatre School's students will participate in all district-mandated assessments and meet district standards. Trimester report cards will be continued on the same schedule adopted by the district as a whole.

CA Education Code 47605 I(b) (5) (C)

The method by which pupil progress is to be measured.

Progress will be objectively measured by the annual statewide assessments as determined by the State of California and by formative and summative district assessments.

Progress will also be measured by teachers in the traditional manner, such as through project performances, portfolios, tests and exams. Progress will be discussed on a regular basis with parents and children and existing trimester reports cards will continue to be distributed.

CA Education Code 47605 (b) (5) (D)

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

Fammatre School will be a dependent, neighborhood charter school that will be governed by the Cambrian School District Board of Education.

On-site decisions regarding a process for ensuring parent involvement and budgeting of AB544 funding and any other money allocated from the state for the charter school, including grants, will be by consensus among certificated staff acting on recommendations made by the majority of the School Site Council. If consensus cannot be reached, a decision will be made by a 60 percent majority vote of certificated staff. Any amendment to this charter petition itself will be approved by this same process - consensus of certificated staff or a 60 percent majority vote, thereof, in the event consensus cannot be reached.

All previous money controlled by the School Site Council will remain in its current location as per the School Plan unless altered by the School Site Council.

Membership

Site level governance is performed by the School Site Council and includes staff and parents. The team will consist of ten voting members. These include:

- One principal, three teachers and one classified staff member
- Five parents -- parents may express an interest to serve and will be selected in the spring to begin the following fall.

Term of Office

The term of office of each staff representative shall be two years. In the event that a staff representative resigns, a vote will be taken to fill the seat. The staff member so selected will complete the term of the staff member who resigned.

The term of office of each parent representative shall be two years. In the event that a parent representative resigns, a notice will be sent home to parents and the vacancy will be advertised in the school newsletter to seek a replacement. Ballots will be distributed to the parent community. The parent representative so selected will finish the term of the person who resigned.

Meetings

The Fammatre School Site Council shall establish a regular time, date and place of meeting and shall hold no more than one regular meeting per month during the months of September through June (excluding the short school month of December).

Five of ten voting members shall constitute a quorum. The School Site Council may establish rules and procedures governing the conduct of its meetings

The School Site Council shall be subject to the Ralph M. Brown Act, California Government Code Section 54950, et seq. as is the current site council.

CA Education Code 47605 (b) (5) (E)

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

Teachers at Fammatre 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. As the California Department of Education and the Commission for Teacher Credentialing provide interpretations for the requirements for non-core subjects those interpretations will be followed and submitted to the Cambrian School District Board of Education for approval. Cambrian School District shall not require any employee of the district to be employed at Fammatre School. The district will utilize existing policies and collective bargaining agreements to address staff members currently assigned to Fammatre who do not wish to continue at the school under the charter status.

Job descriptions and credential requirements for all positions will remain the same as described in the CDTA and CSEA collective bargaining agreements.

CA Education Code 47605 (b)(5) (F)

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.

Fammatre School shall comply with all the provisions and procedures of Education Code 44237, including the requirement that, as a condition of employment, each new employee 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. Records of student immunizations shall be maintained, and staff shall follow requirements for periodic TB tests.

CA Education Code 47605 (b) (5) (G)

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.

Fammatre School will be a dependent, conversion charter that shall maintain the policy giving admission preference to pupils who reside within the former Fammatre attendance area. Preference shall be extended to pupils currently attending Fammatre School and pupils who reside in the Cambrian School District attendance area. Should interest in the school be greater than its capacity, the school leadership team will follow the process for determining admission to the school which is outlined in the next section (CA Education Code 47605 (b) (5) (H)). This process shall be approved by the Cambrian School District Board of Education and be consistent with the law.

The Cambrian School District Governing Board shall not require any pupil enrolled in the school district to attend Fammatre School and will utilize district policies for placement of students not wishing to attend the school.

Fammatre School will consult with the Cambrian District Board of Education regarding the number of students admitted to the school based on existing policies and procedures. The enrollment capacity will be established annually and be consistent with state law and master agreements between the Cambrian School District and the Cambrian Teachers' Association and the California School Employees' Association.

CA Education Code 47605 (b) (5) (H)

Admission requirements, if applicable.

There are no admission requirements. Fammatre School will admit pupils who wish to attend the school if there is space. In accordance with the law, preference shall be given to students who reside within the attendance area of the school, students who already attend Fammatre, siblings,

followed by students who reside in the Cambrian School District attendance area. If the number of pupils who wish to attend exceeds capacity, attendance shall be determined by public random drawing on January 15th of each year. After that, spaces will be filled on a "first come first served" basis. Current district policies used for admitting and removing interdistrict transfer students will be followed for out-of-district charter students.

CA Education Code 47605 (b) (5) (I)

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.

Fammatre School shall be a dependent charter school and participate in the district's annual audit. Exceptions and deficiencies so noted will be addressed promptly, as per policies and procedures established by the Cambrian School District Board of Education.

CA Education Code 47605 (b) (5) (J)

The procedures by which pupils can be suspended or expelled.

Students shall be suspended or expelled for actions for which they could be suspended or expelled from the Cambrian School District as defined by the Education Code Sections 48900 to 48926. The due process mandated for school districts therein will be followed at Fammatre School.

CA Education Code 47605 (b) (5) (K)

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.

Fammatre School will retain its current relationship with the Cambrian School District for the purposes of all staff benefits as provided under existing master agreements.

- 1. Relationship with local teachers' and school employees' associations:** Fammatre staff will continue with the current relationships with the Cambrian Teachers' Association and the California School Employees' Association.
- 2. Process for determining salaries and working conditions:** Fammatre staff will continue its current relationships with the school district, the Cambrian Teachers' Association and the California School Employees' Association for purposes of determining salaries and benefits for employees.

CA Education Code 47605 (b) (5) (L)

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

Pupils residing within the former attendance area of Fammatre School who choose not to attend the school, may attend any of the existing Cambrian School District schools.

CA Education Code 47605 (b) (5)(M)

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.

All current and new employees at Fammatre School will be employees of the Cambrian School District and all rights of permanent status and transfers shall be the same as those used by the district and outlined in the CDTA and CSEA collective bargaining agreements in accordance with the EERA. In addition, all Education Code rights and responsibilities and any other statutory provisions shall remain in effect.

We wish to reiterate that the Education Code of California remains in effect with the exception of flexibility in funding by block grant and area-wide enrollment as stated in our introduction.

CA Education Code 47605 (b) (5) (N)

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

There are no special provisions for dispute resolution in this charter. As a dependent charter, existing policies, practices and education and government code shall remain intact. Specific provisions within the existing CDTA and CSEA for constituent complaint policy, collective bargaining, and grievance procedures will remain applicable.

CA Education Code 47605 (b) (5) (O)

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.

All employees of Fammatre School will be employees of the Cambrian School District.

CA Education Code 47605 (b) (5) (P)

A description of the closure procedure, including closeout audit, asset liability disposition, and records transfer.

The process for charter school closure will follow the California State Department of Education recommended process. This process will include an official action by the Cambrian School District Governing Board effective at the end of an academic year, notifying the Charter Schools Unit of the California Department of Education, parents, and the Santa Clara Office of Education. The Cambrian School District will maintain all student and school records as required by law for the charter. After its closeout, the school will have an audit to determine and financial responsibilities which will be borne by the Cambrian School District. As a conversion charter school, the assets and liabilities will remain part of the Cambrian School District.

Required Affirmations

Fammatre School shall be nonsectarian in its programs, admission policies, employment practices and all other operations. It shall not charge tuition and shall not discriminate against any pupil on the basis of ethnicity, national origin, gender, socioeconomic status or disability.

Miscellaneous

Severability

The terms of this charter are severable. In the event that any of the provisions are determined to be unenforceable or invalid for any reason, the remainder of the charter shall remain in effect.

On an annual basis, if 51 percent or more of the permanent status teachers currently employed at Fammatre choose to revoke charter status by February 1st of any school year, then the Cambrian School District Board of Education shall agree to revoke the charter and return the school to non-charter status the next school year.

The Cambrian School District Board of Education may revoke the charter as described in Section 47607 of Assembly Bill 544.

Special Education

If students attending Fammatre School qualify for special education funds, then the Cambrian School District shall treat Fammatre students as it treats other Cambrian School District students.

In terms of Special Day classes, resource specialist services and speech services, the charter school will follow all current and future district regulations, practices and policies.

**Petition for the Establishment of
Charter Status For
Fammatre School**

We, the undersigned, believe that the attached charter merits consideration and hereby petition the Governing Board of the Cambrian School District to grant approval of the charter pursuant to Education Code Section 47605 to enable the conversion of Fammatre School. Fammatre School agrees to operate the school pursuant to the terms of the Charter Schools Act and the provisions of the school's charter. The petitioner's listed below certify that they are permanent teachers who are meaningfully interested in teaching in the Fammatre School.

The petitioners authorize the Lead Petitioner to negotiate any amendments to the attached charter necessary to secure approval by the Cambrian School Board of Education.

By the petitioners:

Laurie O'Leary
Name (please print)

Laurie O'Leary
Signature

1/28/04
Date

Christine Katz
Name (please print)

Christine Katz
Signature

1/28/04
Date

Jacqueline Silva
Name (please print)

Jacqueline Silva
Signature

1/28/04
Date

Mary Cochran
Name (please print)

Mary Cochran
Signature

1/28/04
Date

Jennifer Wilson
Name (please print)

Jennifer Wilson
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Maria B. Montes
Name (please print)

Maria B. Montes
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Date

Becky Teubert
Name (please print)

Becky Teubert
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Aaron Wilson
Name (please print)

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Keith Charkoff
Name (please print)

Keith Charkoff
Signature

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Date

Christopher Borone
Name (please print)

Christopher Borone
Signature

01-28-04
Date

Camille Johnson

Camille Johnson Camille Johnson 1-28-04
Name (please print) Signature Date

Marlene Austin Marlene Austin 1-28-04
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Pam Greenwood Pam Greenwood 1/28/04
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Kelly Hoop Kelly Hoop 1-28-04
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Jean Fukuda Jean Fukuda 1/28/04
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