



PETITION FOR CHARTER RENEWAL

September 2003
Revised May 18, 2007
Revised May 11, 2009

Presented to
San Diego Unified School District

Mission Statement

It is the mission of Explorer Elementary Charter School to successfully blend a child-centered, socially intelligent approach to education with exemplary curriculum and high standards for its students. The school serves children in kindergarten through fifth grade. It is committed to providing an environment that emphasizes learning as an interactive process focusing on individual needs of students. The School strives to develop critical thinkers who are caring, confident and lifelong learners in a diverse community that is sensitive to the needs of each child.

Explorer Elementary Charter School believes that an educated child is a child who questions, thinks deeply, finds information and answers, and cares about continuing to learn. Such a child is self aware and extends this awareness into academic and social life making him or her a successful citizen in the 21st century.

Background History

After a long development process and search for acceptable facilities, Explorer Elementary opened its doors on September 5, 2000 with 116 children in grades kindergarten through sixth in a temporary site near UCSD. By the end of the first year it had an enrollment of 136 with a waiting list of over 200 applicants. In school year 2008-2009, enrollment has grown to 320 children in grades K-5. In 2006, Explorer joined the High Tech High family of schools and moved to its permanent home at 2230 Truxtun Road, San Diego, CA 92106.

Explorer has developed an extraordinary community of reciprocity, engagement and support. The students are thriving and enthusiastically engaged; parent satisfaction and involvement is widespread; and assessment measures show children are learning at a high level. In addition to teaching to state curriculum standards and frameworks, Explorer has put a social curriculum in place along with interdisciplinary strategies to stimulate deep and complex thinking. The School has a dedicated, highly educated, and professional faculty who are committed to student learning and individual growth. It has an intensely active group of parents.

Over the course of its initial chartering term, Explorer has consistently received Academic Performance Index scores that indicate the Explorer is generating high levels of student learning and high levels of staff and parent participation. The measurable outcomes of API scores, AYP, decile rankings, student attendance rates, staff attendance rates and parent participation rates are below.

Explorer: API, AYP, ADA, State/School Rankings, Student/ Staff Attendance and Parent Participation

School year	Growth API	AYP	State School Rank	Similar School Rank	Student Attendance	Staff	Parent Participation
2007-2008	925	Yes	not available	not available	97%	99%	98%
2006-2007	929	Yes	10	10	97%	99%	98%
2005-2006	912	Yes	10	2	96%	99%	98%
2004-2005	925	Yes	10	8	97%	99%	98%

Parent participation is measured by attendance at conferences, Back to School Night, and exhibitions. In addition, approximately 60% of families volunteer at the school in some capacity.

Over the course of the chartering term, Explorer has also consistently achieved high levels of participation on the State required assessment for elementary schools. Participation Rates are below:

	STAR	CA Fitness Test	CELDT
2007-2008	98%	100%	100%
2006-2007	100%	100%	100%
2005-2006	100%	100%	100%
2004-2005	99%	100%	100%

WHAT MAKES EXPLORER UNIQUE?

1. **School-Wide Social Emotional Literacy Program:** The Social-Emotional Literacy Program is central to Explorer’s identity and differentiates it from other schools in San Diego. This program integrates social issues into the daily academic curriculum and involves all students, parents, teachers, and community members. The program teaches and reinforces core concepts such as acceptance, compassion, ethical and responsible behavior, empathy, positive conflict resolution, and collaboration. The goals of this program are (1) to raise the level of social and emotional competence in all children as part of their regular education – not just children who are faltering and identified as “troubled;” (2) to improve academic performance by creating caring, confident learners who are self aware and comprehend their impact on others; (3) to create a compassionate, ethical, socially responsible, collaborative learning community; and (4) to educate parents in order to reinforce the school’s mission.
2. **How Children Learn Is As Important As What Children Learn:** Explorer’s program is designed to teach children with dignity. The faculty is dedicated to providing a developmentally appropriate program that respects each child’s style of learning. Critical to the program is teaching children the skills that will empower them to become self-motivated, life-long learners. Learning experiences are structured to encourage children to develop positive social behaviors by interacting with others cooperatively, collaboratively, and compassionately. Project-based approaches provide meaningful opportunities for students to make connections with the world around them.
3. **Strategies for Deeper Learning:** Faculty at the school have been trained in strategies to add depth and complexity to students’ learning. All children, at every level of learning, are exposed to these strategies. For example, when reading literature, children might be asked to find evidence of concepts such as multiple perspectives, ethics, convergence, rules, patterns and details within the context of the book. Every grade also chooses a “big idea” interdisciplinary theme such as change, systems, relationships, influence, or power, as a lens through which they find meaning in their work. Students discuss these ideas in scholarly groups of various kinds – circles, debates, “world cafes”, and reflections.
4. **Social and Academic Learning:** At Explorer, we have seen that the awareness of self and others that is created through the school’s social curriculum has profound academic impacts. In writing, for example, children find and use their authentic voice. In history, children see and analyze differing perspectives. In science, children analyze a problem, hypothesize a solution, and test the solution with evidence – the same way we teach them to solve a problem on the playground. Just as in social and emotional development, rote academic learning can be superficial and fleeting. Learning, both emotional and cognitive, rooted in rigorous analysis of self, others, texts, and data can be longer lasting, deeper, and more flexible.

5. **Partnerships with Parents:** Underlying our relationship with parents is the understanding that they have much to teach us about their children. Parents are an integral part of their children's education and are valued as contributing members of this learning community. The Parent Education Program provides ongoing, structured support for parents. The goal of this program is to help parents deal more effectively with their children's emotional life in concert with the school. In this way, children receive consistent messages about social and emotional competence in all parts of their lives.
6. **University Partnerships:** The school has strong working relationships with UCSD, USD and Point Loma Nazarene. In addition, Explorer has been involved in the development of the HTH Graduate School of Education, one of very few school-centered schools of education in the United States. Explorer's practices and approaches to instruction, learning and assessments are informed by current educational and neuroscientific research. In addition, Explorer's teachers and university faculty work together to ensure that research is well informed by the real-life issues that occur every day in school.
7. **Partnership with High Tech High Learning:** Explorer Elementary is affiliated with High Tech High Learning and is a member of its charter management organization. Children have many opportunities for working together with middle school and high school students and the school directors meet regularly to discuss school-related issues.

Student Population

In the 2008-2009 school year, 64% of Explorer students were Caucasian, 21% were Latino, 4% were African American, 3% Filipino and 8% Asian and other ethnicities. Nine percent of students qualified for free or reduced price lunches. In 2008-2009, 10 % of Explorer students had identified disabilities and required special education services

Declarations

Explorer Elementary Charter School shall be nonsectarian and nondiscriminatory in its programs, admissions policies, employment practices and all other operations. Explorer shall not discriminate on the basis of ethnicity, race, creed, color, national origin, age, gender, disability or other basis prohibited by law. Explorer will not charge tuition, except as required pursuant to 8 U.S.C. section 1184(m) (1) (B) for students admitted as nonimmigrant aliens in accordance with Federal law.

Admission to Explorer Elementary Charter School shall not be determined according to the place of residence of the pupil within California, or of his or her parent or guardian, save for admission preferences stipulated in Element Eight (H) Admission Requirements, below.

Terminology

Explorer Elementary Charter School may be referred to as the "School" and San Diego Unified School District may be referred to as the "District" or San Diego City Schools.

Sixteen Required Charter Elements (A-P)

Element One (A) – Educational Program

- The Explorer Elementary Charter School will operate as a single charter school located at 2230 Truxtun Road, San Diego, 92106.
- The School's course requirements will meet state standards. The School will offer, at minimum, the same number of minutes of instruction as required by law
- The Explorer Elementary Charter School philosophy is based on the belief that education is a shared responsibility of the School, parents, community and the individual student. The School has small class sizes with a preferred student/teacher ratio of 20/1 in grades K-3 and 24/1 in grades 4-5. The educational program emphasizes enabling students to become self-motivated, lifelong learners who think critically in a sensitive and fair-minded way.
- The School sees parents as partners and provides them with opportunities for educational involvement in the School. A weekly drop-in parent meeting as well as evening meetings led by parenting educators and Explorer faculty are instructive for parents. There is a vital and active Parent Council, evening parent meetings and a multitude of volunteer possibilities in the School.
- The School also provides university and college students and faculty the opportunity to enhance their educational and professional development. The School offers:
 - Observational experiences for undergraduate students
 - Field experience for pre-service teachers enrolled in a teacher credential program
 - Pre-student teaching observational hours
 - Student teaching for those working on a credential
 - Community service hours
 - Research site for Doctoral and Masters students interested in areas such as curriculum development, leadership, and technology
- The Explorer Elementary Charter School provides faculty with professional development opportunities. The Administration works collaboratively with the staff in designing programs that promote continued professional growth in teaching and learning. There is time allotted weekly for faculty meetings, teacher preparation and in-service trainings. Building a support system among administration and faculty is a cornerstone of the School's success. Teachers and administration work together to promote student learning and academic excellence.
- Students will have a strong foundation of skills, including:

Basic Skills

- Reading
- Writing, Listening, and Speaking
- English Proficiency
- Scientific Method
- Social Studies/Geography
- Math Procedural Skills
- Quantitative Reasoning
- Logic and Problem Solving Skills
- Research Methods

- Independent Study Skills
- Technology Proficiency

In addition, the Explorer faculty strives to develop the following qualities and practices of mindfulness in its students:

Independence/Interdependence

- community
- connection
- multiple perspectives
- empathy
- contribution

Mindfulness

- reflection
- analysis
- observation/evidence/proof
- flexibility
- thinking before acting (impulse control)

Voice

- ownership
- risk-taking
- self-awareness
- communication

Imagination

- creativity
- ingenuity
- hypothesis

Inquiry

- unanswered questions
- perplexity
- curiosity

• **Instructional Strategies and Practice**

1. Direct Instruction
2. Discussion groups
3. Literature circles
4. Field trips
5. Collaborative learning groups

6. Scholarly circles, debates, and reflections
7. Writers workshops
8. Journaling and writing across the curriculum (math, science, garden, etc.)
9. Rubric-based self evaluation, group evaluation, and class evaluation
10. Project-based learning
11. Strategies for analytical thinking using icons of depth and complexity developed by the California Association for the Gifted (CAG)
12. Whole class instruction
13. Flexible scheduling
14. Flexible grouping
15. Guest speakers
16. Independent study
17. Individual instruction
18. On-going assessment
19. Student demonstration
20. Technology
21. Differentiated curriculum

The School's program will maintain a balance among children's abilities and interests, learning styles, and the state curriculum standards. Curriculum development will be collaborative and ongoing. The School will focus on developmentally appropriate curriculum. Developmental appropriateness refers to research that speaks to the predictable and universal sequences of growth and change that occur in children, and to each child's developing abilities that emerge at different ages. A major premise of developmentally appropriate practice is that each child is unique and has an individual pattern and timing of growth, as well as an individual personality, learning style and family background. The School provides a learning environment that is responsive to this research.

To the extent independent study is provided, the School complies with state laws relating to independent study as set forth in Education Code § 47612.5.

The following educational goals support the educational theory of the Explorer Elementary Charter School and address the needs of all students including gifted, English language learners and those requiring special education services.

Explorer Elementary Charter School Educational Program Includes:

I. A strong academic environment that will improve student thinking and learning and is responsive to the needs of children.

1. The educational program and pupil outcomes will align with statewide standards. This will ensure that students meet all statewide standards as required by the Charter Schools Act, section 47695 (c).
2. The learning environment meets the diverse needs of each child.
3. Children learn and practice thinking. A strong foundation of educational skills is built.
4. Continuous progress of children is emphasized in individual work and groupings.
5. Classrooms respond to spontaneous learning situations.

6. Positive multicultural attitudes are modeled through everyday experiences and interactions.
7. Curriculum and instruction are responsive to individual differences in abilities, development, language and learning style.
8. Needs of exceptional students are met through differentiated curriculum; CAG strategies (see above); and when needed, an individualized academic program.
9. Needs of underachieving students are met through differentiated curriculum, one on one tutoring through the Everyone A Reader Program; and when needed, an IEP process and individualized and group tutoring and services .
10. Curriculum areas are integrated to construct higher meaning. Learning is collaborative and project based.
11. Technology is utilized to facilitate thinking and learning, to access information, improve communication and increase student proficiency.
12. Flexible groupings are an important component of teaching and learning.
13. Assessment and evaluation procedures focus on each child's continuous progress. Performance-based assessment, teacher observation, standardized testing, reading, math, social-emotional and writing assessments are ongoing.
14. Physical education and art are seen as integral parts of the educational program.
15. English language learners are paired with teachers, tutors and/or mentors fluent in their language until the attainment of English proficiency.

II. Classroom environments that facilitate learning as an interactive process.

1. Students interact with each other and with adults, and with other experts in various fields of knowledge. A variety of opportunities are planned to encourage interaction such as project-based work, learning centers, collaborative learning groups, literature circles, scholarly circles, world cafes, and problem solving groups. Students often share their work in written and oral form, exhibits, and in daily class meetings.
2. Students interact with curriculum. Multi-sensory as well as concrete manipulative are used to enhance learning.
3. Students reflect upon their own learning and experiences.

III. An academic community that is dedicated to academic excellence.

The faculty will:

1. Support and facilitate student learning.
2. Enhance internal motivation of students and positive attitudes toward learning.
3. Work collaboratively to develop curriculum and assessment.
4. Maintain open communication.
5. Work together to implement research-based and innovative approaches to instruction and learning.
6. Plan for ongoing professional development.

IV. A technology program that enhances the academic experience of students.

Explorer Elementary Charter School recognizes that access to and utilization of current technology is essential to preparing students for future education as well as for success in the

professional world. For these reasons, the School has a Technology Plan that includes the following:

1. Appropriate software, hardware and access to the Internet to supplement the core curriculum and promote the practice of higher level thinking skills and collaborative learning.
2. Integration of technology into the classroom curriculum.
3. Collaboration with other schools to increase opportunities for education.
4. Maintenance of technologically current records to assist teachers in providing support for student's academic and health needs.
5. Application of appropriate safeguards to insure access to educational information only.
6. Educational opportunities for the faculty to enhance literacy in technology.

V. A school-wide social curriculum.

Evidence supports that children who are self-aware, interact positively with peers, and have problem solving skills are more successful in School. Their academic achievement is higher than that of their peers. Explorer Elementary Charter School has a social curriculum within every classroom, kindergarten through fifth grade. Children have many opportunities to practice effective communication, problem solving, and build empathy and compassion for others. "Second Step", a curriculum focusing on self-awareness, violence prevention, empathy, and conflict resolution is taught at each grade level and is woven into interactions throughout the School. Weekly and occasional evening parent meetings educate the parent community about the School's social curriculum and how it can be reinforced at home.. In this way a consistent community based on social justice, respect and responsibility is created within the School.

- The social curriculum is integrated throughout the School program and activities.
- "Second Step" is taught in grades kindergarten through fifth
- The social curriculum teaches empathy, communication skills and problem solving based in respect for diversity and the needs and feelings of others.
- Students are involved in community service projects.
- Development of social intelligence is a cooperative effort between the School and its families.
- Assessment of social skills is done bi-annually to indicate student growth in this area.

The awareness of self and others that is created through the school's social curriculum has profound academic impacts. In writing, for example, children find and use their authentic voice. In history, children see and analyze differing perspectives. In science, children analyze a problem, hypothesize a solution, and test the solution with evidence – the same way we teach them to solve a problem on the playground. Just as in social and emotional development, rote academic learning can be superficial and fleeting. Learning, both emotional and cognitive, that is rooted in rigorous analysis of self, others, texts, and data can be longer lasting, deeper and flexible.

Social and Emotional Skills Taught at Explorer

Self-awareness
Ability to give an “I message”

Second Step Problem Solving
Strategy:
Identify the problem
Brainstorm solutions
Try one
Evaluate its effectiveness
Try another if necessary

Empathy

Related Academic and Intellectual Skill

Authentic voice in writing fiction or non-fiction
Confidence to participate in classroom discussions

Scientific method
Using proofs in math
Supporting assertions with evidence in expository
writing
Analyzing conflict in history or literature

Identifying multiple perspectives
in history and literature

VI. Supporting all students

Plan for Students Who Are Low Achieving

The School has developed a number of strategies to address the needs of students with a wide range of prior experience and achievement.

1. Support is provided to students within and outside the classroom. In the classroom, flexible groupings allow teachers to spend instructional time with small groups of children. In addition, since much learning is taking place in project groups or learning centers, teachers have many opportunities to work one-on-one with individual children. When necessary, teachers will develop individual, accommodated assignments for children.
2. The high level of communication between parents and faculty at the school enables teachers to continually adapt curriculum and assignments when necessary.
3. The School has an active Everyone A Reader Program with 25-30 trained volunteers, which enables every child who is reading below grade level to have one-on-one reading tutoring four days per week.
4. Faculty collaboration across subjects and grade levels enables teachers to share approaches and develop effective strategies for individual children.
5. Staff development and in-service training on learning disabilities and specific approaches occurs throughout the school year.
6. Special technology and software, as well as books on tape and listening stations are used in classrooms, especially in the early grades.

Plan for Students Who Are High Achieving

The school does not track students into Seminar, GATE, and regular classes. Our faculty believes strongly in the value of heterogeneous and diverse classrooms. Instructional strategies using icons of depth and complexity developed by the California Association for the Gifted are used in all classrooms.

1. Faculty create extensions to math and humanities assignments and projects to challenge students.

2. Through literature circle groupings, teachers are able to differentiate and offer more challenging literature to students who are ready for it.
3. The interdisciplinary use of icons of depth and complexity allow for considerable differentiation and challenge. Children who are more concrete thinkers may choose to find evidence in a text of a concrete concept such as “details” or “changes over time”, while a student ready for more challenging abstract thinking can choose to find evidence of much more abstract concepts such as “paradox” or “convergence”.

Plan for English Learners

The School meets all requirements of federal and state law relative to equal access to the curriculum for English language learners. The goal is to develop high quality instructional programs and services for English learners that allow them, within a reasonable amount of time, to achieve the same challenging grade level and standards as native-English speaking students.

Linguistic and cultural diversity are seen as assets for teaching and learning. English proficiency is a goal for all students, regardless of linguistic background. In order to best serve the needs of our English Language (EL) students and comply with federal statutes and regulations defined by the US Department of Education’s Office of Civil Rights (OCR), the School follows the six-step language support plan described below.¹ Faculty members share responsibility for implementation of this plan, coordinated as appropriate by the EL Coordinator. EL students are fully integrated into classrooms and required activities and can receive one-on-one or small group coaching based on their language needs.

Six Step Language Support Program

The School implements the following six-step support program for EL students.

Identification. All students, regardless of racial or ethnic background, complete a Home Language Survey (HLS). The purpose of the survey is to identify students who come from homes in which a language other than English is spoken.

Initial Assessment. If the HLS indicates that a language other than English is spoken at home, the School is responsible for assessing the student’s English language proficiency in the areas of speaking, reading, writing, and comprehension of English.

Placement. The School provides language support to students qualifying as EL. When needed, the Coordinator works individually with EL students, along with the students’ families and advisors, to determine the most appropriate support strategies.

Transitioning/Exiting. As EL students are working toward English proficiency, they are also learning all of the skills and content appropriate for their grade level. The classroom teacher will work with the EL coordinator and the family to determine the goals and timing for transitioning and exiting from language support services.

Monitoring. Students who no longer need language support services are monitored by their classroom teacher to make sure they are performing adequately.

¹ Adapted from guidelines provided by the US Department of Education’s Office for Civil Rights (OCR)

Implementation Strategies

The following strategies will also be implemented to ensure academic success and language progress for EL students.

- **ONGOING ASSESSMENT:** The EL Coordinator will be responsible for language proficiency testing as well as monitoring, via the classroom teacher and specialists, the student's performance and input from the family. The results of these assessments will be used to determine the need for tutoring and other types of extra support.
- **PERSONAL LEARNING PLANS:** Teachers will work individually with EL students to develop student goals and pinpoint strengths, needs, and special accommodations.
- **PLANS FOR TUTORING:** EL students may receive support both inside and outside their classroom. Within the class, lessons and assessments are differentiated and incorporate SDAIE strategies. EL students scoring at intermediate proficiency or below will receive individual pull-out tutoring.
- **COMMUNITY OUTREACH:** Administration and faculty will work closely with family, community, and local organizations to support EL students and their families. Spanish-speaking parents are well-organized and offer translation services and advice to the administration. In addition, Spanish-speaking parent volunteers teach Spanish in Explorer classrooms.
- As required by California law, The School will administer the California English Language Development Test (CELDT) to all new students with a home language other than English and to all English Learners annually to determine each student's individual proficiency level and to reclassify students to Fluent English Proficient (FEP) where appropriate.

Plan for Special Education

As required by federal and state statutes and regulations, each special education student eligible under the Individuals with Disabilities Education Act will be provided a free, appropriate public education in the least restrictive environment. The School focuses on the provision of educational enhancement services such as assistive technology, small group and individual instruction in the regular education environment rather than a more restrictive special education non-inclusive learning environment. Children who need individualized assistance may meet with the resource teacher individually or in small groups for assistance and alternative strategies in reading, math, and writing. In addition, children may meet individually or in small groups with the Speech and Language Therapist, the Occupational Therapist or other specialists as needed. Decisions regarding services to special education students shall be the responsibility of the Individualized Education Program (IEP) Team, as formulated in a written plan and with full parental participation and consent.

The School's special education services shall be provided by a credentialed special education teacher. The teacher also serves as the case manager for each special education student and oversees the provisions of all services included within each IEP. The School may contract with independent service providers for any required element of special education support such as psychological services, speech therapy and other related services necessary for the provision of a free appropriate public education.

The primary method of identifying students eligible for special education services is through referrals made by the parents and/or the classroom teacher. The School provides psycho-

educational diagnostic services to assess students for each of the 13 disabilities as defined by federal law.

SELPA Membership Plan

The School participates as an LEA member of the Desert Mountain SELPA. As a member of the Desert Mountain SELPA, the School makes the following assurances through its Board of Directors:

Free Appropriate Public Education

The School shall assure that a free appropriate public education will be provided to all enrolled students.

Full Educational Opportunity

The School shall assure that all students with disabilities have access to the variety of educational programs and services available to non-disabled students.

Child Find

The School shall assure that all students with disabilities are identified, located and evaluated.

Individualized Education Program (IEP)

The School shall assure that an IEP is developed, reviewed and revised for each child with a disability who is eligible for special education services.

Least Restrictive Environment

The School shall assure that, to the maximum extent appropriate, students with disabilities are educated with students who are not disabled. Placements in the least restrictive environment shall be pursued for students with disabilities through the utilization of supplementary aids and services in the general education learning environment.

Procedural Safeguards

The School shall assure that children with disabilities and their parents shall be provided with safeguards through the identification, evaluation, and placement process and provisions for a free appropriate public education.

Annual/Triennial Assessment

The School shall assure that an IEP review shall be conducted on at least an annual basis. Additionally, a reassessment shall be conducted at least once every three years or more often if conditions warrant, or requested by the student's parent or teacher.

Confidentiality

The School shall assure that the confidentiality of personally identifiable data shall be protected at collection, storage, disclosure and destruction.

Personnel Standards

The School shall assure that it will make good faith efforts to recruit and hire appropriately and adequately trained personnel to provide special education and related services to children with disabilities.

Assurance of Compliance with Section 504 of the Rehabilitation Act of 1973

The School will comply with all applicable requirements of Section 504 of the Rehabilitation Act of 1973.

Element Two (B) – Measurable Student Outcomes

Explorer Elementary students will meet all academic standards as adopted by the State Board of Education applicable to charter schools.

The School will certify that its pupils have participated in the state testing program in the same manner as other District students.

Explorer Elementary will aim to achieve scores on the Academic Performance Index (API) at or above the 7th decile.

The School will have student attendance rates of 90% or higher. This will measure student and family commitment to, and involvement in, the School's instructional program.

At the end of each school year, an anonymous parent survey is conducted, which solicits parent feedback on all academic areas and the responsiveness and communication of school staff. Explorer's goal will be for 80% or more of respondents to rate all areas satisfactory or better.

The School will also administer all state-mandated assessments including STAR, CELDT and the California Fitness exam as adopted by the State Board of Education and applicable to charter schools.

Element Three (C) – Method of Measuring of Student Progress

Explorer Elementary will comply with all state assessment and accountability requirements applicable to charter schools.

The School will continue to use multiple measures of assessments to maintain a balanced assessment system. The assessments are linked to the standards for literacy, mathematics, science, history-social science, and applied learning. The goal of assessment is to provide information for:

1. Curriculum planning, determining and planning instructional practices.
2. Special needs and interests of students.
3. Feedback to students regarding their individual progress.
4. Program evaluation and accountability.
5. Students to be self-assessors of their own work.
6. Communication to parents and the larger community.

In addition to the California State Standards Test at every grade level, the following assessments are used:

- **Performance-Based Assessment** – Explorer Elementary Charter School implements performance-based assessments in ways that enable children to demonstrate what they know and what they are able to do in meeting the statewide standards. Performance-based assessments include, but are not limited to:

1. **Exhibits, Demonstrations and Presentations:** These projects represent a culmination of the student's learning in curricular areas; they may be written or oral. They may also reflect interdisciplinary themes applied to core curriculum.
 2. **Calendared Classroom Assessments:** Teachers assess children regularly in reading, writing and mathematics. The faculty meets together to rubric score writing and math prompts as well as the social curriculum.
- **Teacher Prepared Assessment Instruments** - Teachers design appropriate tasks that measure understanding and mastery of classroom work.
 - **Student Journals** – Students keep journals in writing, science, math, as well as keeping a garden journal. These reflect their understanding and thinking skills.
 - **Formal Assessment Reports to Parents** – A formal progress report to parents is sent home two times per year. Students are assessed in all academic areas as well as in social-emotional development. Many curricular areas are assessed based on rubric scoring.
 - **Conferences** – A variety of conferences are conducted throughout the school year and include:
 1. **Parent/Teacher Conferences:** These are scheduled two times per year. At these conferences parents share their expectations and any concerns they have about their child. Goals are set at the first conference. The teacher reports academic as well as social progress.
 2. **Child/Teacher Conferences:** Meetings are scheduled with the child and teacher to discuss and evaluate a child's progress.
 - **Other Conferences** – These are scheduled as needed to ensure that the program is meeting the student's needs.

Element Four (D) – Governance

Corporate Structure

While the School collaborates extensively with the San Diego Unified School District, the School shall be operated as a separate legal entity, independent of the District. The School will be operated by a duly constituted nonprofit benefit corporation, which will be an affiliate of HTH Learning, a duly constituted California nonprofit public benefit corporation and governed in accordance with applicable California law. The school will be a direct-funded charter school.

The School's Board, as an affiliate of HTH Learning, shall retain fiduciary responsibility for the operations of the school as well as responsibility for oversight of day-to-day operations of the school. The School's Board of Trustees shall be chosen by the School's Board in a manner consistent with the bylaws of the Board of Explorer Charter School. The School's Board shall have at least five trustees. All future Board members of the School will be selected with skills and experience to match their board responsibilities. The School's Board shall meet as frequently as necessary, but not less than four times annually. The Board of HTH Learning shall have the right, at its sole discretion, to approve the appointment of up to one half of the trustees of the School's Board.

The Board will conform to all requirements of the Ralph M. Brown Act (open meetings law) as applicable and will conform with all applicable conflict of interest laws. The governing board of San Diego Unified School District shall be entitled to a single representative on the School's Board of Trustees.

Community Involvement

The School will engage parents, teachers and community leaders, meeting on a periodic basis, to advise the School on the operations of the School program, staff, teachers, students and fundraising, all with the purpose of increasing student achievement.

Special Education

The School will act as its own LEA for purposes of special education. In concert with other HTH Schools, the School participates as an LEA member of the Desert Mountain SELPA. The School will comply with all the applicable rules, regulations, policies and procedures pertaining to Desert Mountain SELPA.

Acting as its own LEA for purposes of special education, the School specifically indemnifies the District, holds it harmless and shall defend it from any liability that may arise from the improper or inadequate delivery of special education services. The full indemnification agreement within Element 17, Legal Status and Liability, shall apply here as well.

Element Five (E) – Employee Qualifications

To the extent required by law, teachers in the School will 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. This will include intern and emergency credentials. As provided by law, the School may exercise flexibility with regard to those teaching non-core curriculum subjects.

The School may also employ qualified adults to assist credentialed teachers in student instruction. A teacher may supervise another teacher when mutually agreed to by the teachers and the School.

Within the provisions of the law, the School reserves the right to recruit, interview and hire anyone at anytime who has the best qualifications to fill any of its position vacancies. Also within the provisions of law, the School reserves the right to evaluate the expertise of each teacher and accordingly assign that teacher classrooms, curriculum subjects or mentoring assignments as it deems in the best interest of students.

The School avails itself of any and all credentialing methods approved by the State of California, as needed. This includes the participation in a charter intern program consistent with standards established by the California Commission on Teacher Credentialing.

The School maintains a current copy of teacher certificates on file and ready for inspection.

The School reserves the right to eliminate or create new full-time positions as necessary and also reserves the right to adjust minimum qualifications as necessary.

California statute requires that every teacher who provides instructional services to an English Learner be authorized to provide specialized instruction for those learners. Teachers at the School who earned their credential based on completion of a California SB 2042 (Chap. 548, Stats. 1998) Teacher Preparation Program will have met the English Learner requirement as it is embedded in those programs. Those who earned their credentials prior to SB 2042 may have earned a CLAD or BCLAD certificate or completed a Certificate of Completion of Staff Development (prior to January 1, 2008) which authorizes them to teach English Learners. Those individuals who have not earned a required EL authorization will be required to take the CTEL exam or complete a Commission-approved program based on the CTEL standards to earn the necessary authorization.

Explorer Elementary Charter School does not discriminate against any applicant or employee on the basis of race, creed, color, national origin, age, gender, disability, or other basis prohibited by law.

Element Six (F) – Health and Safety Procedures

The School requires that each employee of the School furnish the School with a criminal record summary as described in Section 44237 of the Education Code 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. The Chief Financial Officer, or his/her designated employee, will be responsible for ensuring that the Department of Justice fingerprints are performed.

The School conducts initial and ongoing tuberculosis screenings of employee candidates as required by law.

The School will also require that volunteers and contractors who have contact with students will meet tuberculosis screening requirements.

The School will assess its school buildings for structural safety, using the existing state, county and city standards for independent and parochial schools.

The School will comply with state building codes, federal American Disabilities Act (ADA) access requirements, and other applicable fire, health and structural safety requirements, and will maintain on file records documenting such compliance.

The School will maintain a copy of facilities inspections on file and ready for inspection.

The School maintains safety and disaster plans appropriate to its site and ready for inspection.

The School contracts with the District or outside vendors to provide needed service for nursing, student health screening and other services designated by a student's active IEP.

Element Seven (G) – Achieving Racial and Ethnic Balance

Explorer Elementary Charter School does and will consider students for admission without regard to ethnicity, gender, disability, race or national origin. The School will do the following as it strives to attract a diverse student body:

- Announce School interest in applications in every publication the District provides for such purposes.
- Effectively use any integration funds and services awarded to the School by the District.
- Conduct one or more open orientation meetings to share information about the school to any and all interested families.

The School will maintain auditable records of the above activities and expenditures. The School will also maintain an accurate accounting of the ethnic and racial balance of students enrolled in the School.

Element Eight (H) Admission Requirements

Explorer Elementary Charter School will accommodate all students who apply for admission, subject to enrollment limitations. For applicants to qualify for admission:

- Students entering kindergarten must be five years of age by September 1 of the year of enrollment.
- A parent or guardian must complete and return a simple, non-discriminatory application by a published deadline ending the open enrollment period.
- The student and a parent or guardian must sign a statement that they are familiar with and agree to abide by all policies and procedures set forth in the parent/student handbook and Home/School Agreement.

Admissions Priorities

If more students apply and qualify than can be admitted, priority for admissions shall be assigned in the following order:

1. Returning or existing students in good standing.
2. Children of employees or board members of Explorer Elementary, High Tech High, High Tech High Foundation, or HTH Learning. This priority is capped at 10% in accordance with the California Department of Education guidelines on charter school admissions policies.
3. Siblings of currently enrolled students of the school.
4. Students being promoted from or transferring from another school that is operated by High Tech High or Explorer Elementary Charter School (who also complete the application process in a timely fashion).
5. Siblings of students currently attending schools operated by High Tech High, provided that no zip code area, as described below, is overrepresented.
6. Students residing in the San Diego Unified catchment area.
7. All other students permitted by law.

Admissions Lottery

If High Tech High receives more applications than there are spaces available, a public, computerized lottery will be held to assist in determining admissions. Notification of the lottery date will be made to the public and all members of the public will be able to witness the lottery computerized process. Within the context of this admission process, Explorer seeks to deliver on the spirit and intent of *Brown vs. Board of Education* by using legally permissible means to enroll a profile of students representative of the racial, ethnic and socioeconomic diversity of San

Diego. In this regard, Explorer employs certain weighting mechanisms in relation to its computerized lottery that foster diversity and that fit squarely within acceptable admissions protocols. Weightings for geography and SES are employed as described below. These weightings are adjusted to account for the numbers of students from a particular zip code cluster that have been admitted from returning, promoting and transferring students, sibling preferences and board member or employee preferences.

In relation to the village of schools operated by High Tech High at Liberty Station in Point Loma, High Tech High identifies attendance regions consisting of several contiguous zip code areas or “clusters.” Using United States Census data, Explorer determines the percentage of school-aged students residing within each zip code cluster and provides weighting within the lotteries designed to encourage a corresponding level of enrollment from each zip code cluster. Each year in the late fall the School will begin accepting applications for admission. Lotteries will generally be performed in the weeks before spring break with notification to applicants going out immediately thereafter.

THE USE OF WEIGHTING TO ENSURE SOCIO-ECONOMIC STATUS DIVERSITY

Similar to the zip code weightings, weightings are implemented to encourage socioeconomic status (SES) diversity and gender balance. Part of the mission of Explorer is to serve a socio-economically diverse student body. Historically, the school has not received sufficient applications from students whose family incomes would qualify them for participating in National School Lunch Program (approximately 150% of the federal poverty level or lower). Consequently, in order to encourage greater admissions of low-income students, the School will provide statistical advantage (i.e. increase the number of ballots placed into the lottery) to each applicant who voluntarily identifies him or herself as eligible to participate in NSLP.

ACCEPTANCE, NOTIFICATION AND WAITING POOL

Once the initial openings have been filled using the procedures described above, Explorer will notify chosen applicants and inform them of their option to enroll in the school. Applicants who have not been chosen will have their names maintained within the applicant waiting pool. As space becomes available within a grade, the school will randomly select applicants from the grade level waiting pool and will notify them that they have the option of enrolling. The notification will give the applicant at least three full business days to inform the School Principal or secretary, verbally or in writing, of the applicant's intentions. In the absence of an affirmative and timely response by phone or letter, the school will eliminate the applicant from the pool and proceed to randomly select another applicant from the waiting pool. All waiting pools expire annually at the end of the formal academic year, or as otherwise determined by the Board of Directors of Explorer Elementary Charter School.

District Indemnification

The School agrees to and shall, to the fullest extent permitted by law, indemnify, defend, and hold harmless the District, its officers, directors, and employees, attorneys, agents, representatives, volunteers, successors and assigns from and against any and all actions, suits, claims, demands, losses, costs, penalties, obligations, errors, omissions, or liabilities, including legal costs, attorneys' fees, and expert witness fees and/or any judgment rendered against District and/or District personnel that may be asserted or claimed by any person, firm or entity, whether public or private, arising out of, or in connection with the charter school's implementation of Element 8 of this charter, as well as any attendant and/or related activities, including but not

limited to the District's granting of the charter petition, conduct of its oversight duties, and performance of any duty required by law in relation to the petition.

Element Nine (I) – Annual Audits

Explorer Elementary Charter School shall contract with an independent auditor for an annual financial audit that is produced according to generally accepted accounting practices. Should the audit note any exceptions or deficiencies, the School will follow a procedure whereby the School:

- Informs in writing all audit recipients of any exception and/or deficiency the School disputes or believes it has already corrected by the time of submitting the audit, along with supporting documentation;
- Informs all audit recipients in writing of a proposed timetable with benchmarks for the correction of each exception and/or deficiency still outstanding at time of audit submission; and
- Resolves all outstanding or disputed exceptions and/or deficiencies to the mutual satisfaction of the District and the School by no later than the following June 30th or other time as may be mutually agreed to

The School will avail itself of the well-tested plans and systems used at Explorer to provide information for an independent audit.

The School will:

- Prepare and file with the District on or before September 15 and annual statement of receipts and expenditures of the charter school for the preceding fiscal year (Education code section 42100); and
- Prepare and file with the District a preliminary budget on or before July 1, an interim financial report on or before December 15, a second interim financial report on or before December 15, a second interim financial report on or before March 15, and a final unaudited report for the full prior year on or before September 15 (Education Code section 47604.33).

Element Ten (J) - Student Suspensions and Expulsions

Explorer Elementary regards suspension and expulsion as a last resort. Criteria for suspension and expulsion of students shall be consistent with all applicable federal statutes and state constitutional provisions. All related hearings will conform to applicable state and federal laws regarding discipline, special education, confidentiality, and access to records.

Grounds for Suspension and Expulsion

The following offenses represent grounds for a mandatory suspension and mandatory expulsion proceedings:

- Possession of a weapon (e.g., firearms, knives or explosives).
- Unlawful sale, or offer of any narcotic or controlled substance.
- Sexual Assault or Battery.

The following offenses represent grounds that may result in discipline in the form of suspension and expulsion proceedings:

- Acts of bullying or harassment of another.

- The threat, causation or attempted causation of physical injury to another person, including sexual assault.
- Obscene or offensive acts or habitual profanity or vulgarity.
- Disruption of school activities or willful defiance of valid school authorities.
- Robbery or attempted robbery of school or private property.
- Destruction or attempted destruction of school or private property.
- Unlawful possession, use or being under the influence of any controlled substance, alcoholic beverage or intoxicant.
- Robbery or attempted robbery of private property or theft of school property.
- Sexual harassment.
- Violation of a policy or procedure by a student and/or parent as set forth in the Parent and Student Handbook.

The Explorer Board of Directors will review and revise, as necessary, the grounds for mandatory expulsion and the grounds that may result in suspension or expulsion. The current list will be communicated through the annually-updated parent and student handbook.

Due Process Rights

The School Principal has the authority to impose suspensions and expulsions. The Principal or her designee will conduct an investigation of the circumstances presented, including consulting the student and affected parties. The Principal will consider whether alternatives to suspension or expulsion may be appropriate.

SUSPENSION

The Principal has the discretion and may impose a suspension directly if he/she determines it is appropriate. If the Principal determines that a student is to be suspended, she shall provide written notice to the student's parents and/or guardians of the determination in writing, including reasons for the suspension and the time period for the suspension.

EXPULSION

If the Principal determines that consideration of expulsion is warranted, the Principal shall impose a suspension pending an expulsion hearing. The Principal shall provide written notice to the student's parents and/or guardians of the suspension, the reasons for the suspension and the expulsion hearing, give notice of the expulsion hearing and provide information regarding the School's expulsion procedures. The Principal will hold an expulsion hearing where the Principal shall serve as the hearing officer. The student and parents shall have the right to representation and the right to present evidence at the expulsion hearing. The Principal will consider evidence and/or testimony as appropriate and will render a decision that shall be in the best interests of the student and the School.

If the Principal determines that a student is to be expelled, she shall inform the student's parents and/or guardians in writing including the reasons for expulsion. The Principal's written notification to the parents/guardians shall also include information about due process rights in regard to the determination.

RIGHT TO APPEAL THE PRINCIPAL'S DETERMINATION

The parents and/or guardians shall have ten (10) days from the date of the written expulsion determination to submit a written request of appeal to the CEO of High Tech High.

In response to the written request for an appeal, the CEO of High Tech High shall convene a committee consisting of one member of the High Tech High Board of Directors, one member of the subcommittee authorized by Explorer Elementary's Board of Trustees and the CEO of High Tech High or his designee. The committee members appointed will be knowledgeable about the School's basis for expulsion and the procedures regarding expulsion. The committee shall have the right to rescind or modify the expulsion.

The committee shall convene a hearing on the appeal within ten (10) days of receipt of a timely written request for an appeal.

At the hearing on the appeal, the student/family shall have the right to counsel and the right to present evidence. The committee will consider evidence and/or testimony as appropriate and will render a written decision that shall be in the best interests of the student and the School. That decision shall be final.

Element Eleven (K) – STRS, PERS and Other Retirement Coverage

The School may elect to participate in the State Teachers Retirement System and/or Public Employees Retirement system and coordinate such participation, as appropriate, with the social security system or other reciprocal system. Positions eligible for STRS and/or PERS will be determined using guidelines for eligibility provided by STRS and/or PERS. The School's participation in retirement programs is administered by High Tech High's central staff, which has experience providing this service on behalf of High Tech High's affiliated schools.

If the School requests such service, the District agrees to include the School's monthly STRS and PERS reports with the District's reports for submission. The School will provide the data in the required format with all required information. Further, the School will bear responsibility for monitoring and reporting membership information. The District will bear no responsibility for any reporting errors or omissions.

The School may establish retirement plans for employees that may include, but shall not be limited to, establishment of a section 403(b) or 401(k) plan.

Element Twelve (L) – Attendance Alternatives

Explorer Elementary Charter School is a school of choice. No student is required to attend. Students choosing not to attend Explorer Elementary Charter School may attend other public schools within their home school district. The School provides information about attendance alternatives to inquiring parents or students. Transportation is the parental responsibility for families who choose to attend Explorer Elementary Charter School, unless such transportation is provided by the School at its sole discretion.

Element Thirteen (M) – Employee Return Rights

The right to leave the District and take employment at the School, as well as the right to return to the District for the School's employees who were previously San Diego Unified School District employees, will be as specified in District policies, procedures or collective bargaining agreements addressing this issue with respect to charter schools operated as nonprofit public benefit corporations.

The School may employ staff on-loan from San Diego Unified School District. The may employ staff, on-loan or permanently, from other entities including other districts and the San Diego County Office of Education.

Element Fourteen (N) – Dispute Resolution with San Diego Unified School District

Both San Diego Unified School District and Explorer Elementary Charter School will always attempt to resolve any disputes between them amicably and reasonably without resorting to formal procedures. Disputes potentially leading to revocation of Charter shall be governed by Ed. Code 47607. Consistent with 47607, in the event of a dispute between the School and the District regarding the terms of this charter or any other issue regarding the School's and the District's relationship, both parties agree to apprise the other, in writing, of the specific disputed issue(s) and that writing shall include relevant facts.

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 District provides the School. Within 30 business days, or longer if both parties agree, of sending written correspondence, a School representative and a District representative, or designees, shall meet and confer in an attempt to resolve the dispute. If this joint meeting fails to resolve the dispute, the School representative and the District representative, upon mutual agreement, shall meet again within 10 business days, or longer if both parties agree, to identify a neutral, third-party participant to assist in dispute resolution. The format of the third-party aspect of the dispute resolution process shall be developed. The finding or recommendation of any mediator shall be non-binding, unless the governing boards of the School and District jointly agree to bind themselves. Unless jointly agreed, the process involving the assistance of a third-party participant shall conclude within 30 business days of identifying the mutually agreed to third-party. The School and the District shall share all mediation and all other costs associated with dispute resolution equally.

In the event that the above process does not result in an agreement over the dispute, both parties agree to continue negotiations in good faith toward a resolution of the dispute. If the matter cannot be mutually resolved, the School shall be given a reasonable period of time to correct the violation, unless the District determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the School's pupils. In such event, the District reserves the right to take any action it deems appropriate and the School reserves the right to seek legal redress for any such actions under the law. In addition, this dispute resolution procedure shall not apply in those cases where the District determines the violation constitutes a severe and imminent threat to the health and safety of the School's pupils.

The dispute resolution process permits oral notice, followed immediately by written notice.

Complaints to the District relating to the operation of the School and not to the terms of this charter or any other issue regarding the School's and the District's relationship will be resolved as set forth below, Element 21.

Element Fifteen (O) – Public School Employer

Explorer Elementary Charter School declares that it shall be the exclusive public school employer of the employees at the School for the purposes of the Educational Employment

Relations Act. Further, the Explorer Elementary Charter School shall retain the right to establish its own lawful procedures for discipline and dismissal.

Explorer Elementary Charter School will select all school staff. No employee of San Diego Unified School District, or any other district, shall be required to work at Explorer Elementary Charter School. Those selected for employment shall enter into a contractual agreement to make their services available to Explorer Elementary Charter School. Explorer Elementary Charter School shall have the authority to terminate the position in accordance with the terms of that agreement.

Employees shall have the option to join, or not to join, the membership of an exclusive representative of their choice. The fact that an employee chooses to become a member of a particular exclusive representative shall not make that collective bargaining agreement applicable to the School. The School must expressly agree to be bound by the provisions of that collective bargaining agreement in order for those provisions to apply to employees of the School.

Element Sixteen (P) – School Closeout

If the School should require dissolution and winding up for any reason, assets remaining after payment of all debts and liabilities and a final audit will be distributed as follows: (1) All assets secured from the appropriation of public funds, including private funds granted to or donated to the charter school, and all asset originally provided to the charter school by the District, shall be transferred to the District or to a charter school whose charter was authorized by the District and (2) if required under law, unused state and federal funding will be returned to its original source. The School will notify in writing parents, students, the District, neighboring districts affected by the closure, and other public agencies. The District will be copied on formal correspondence pertaining to school closure. The School will transfer all pupil records as appropriate. An auditable record of transfers of pupil records will be maintained. Finally, the School will produce a final audit for the charter-granting agency that determines the disposition of all assets and liabilities. That audit will be completed within six months of closure.

Other Charter Elements

17. Legal Status and Liability

Explorer Elementary Charter School operates as a nonprofit public benefit corporation. As such, San Diego Unified School District is not liable for the debts or obligations of the School.

The Explorer Elementary Charter School saves, defends, indemnifies and holds the San Diego Unified School District, its agents, officers, and employees harmless and free from liability against all claims, demands, suits, costs, judgments or other forms of liability to third parties, actual or claimed, of whatsoever kind or character, including attorneys fees, arising from or allegedly arising from any act or omission, whether intentional or negligent, by the School, its officers, agents, or employees.

The School will purchase General Liability insurance in the amount of \$1,000,000 per occurrence, naming the District as an additional insured, and Worker's Compensation insurance within statutory limits. As an alternative, the School may purchase and maintain insurance with limits and coverage as deemed mutually acceptable to the District's risk manager and the School.

18. Funding

The School intends to receive funding directly from the State of California through the County Treasurer and the Office of Education in accordance with applicable law and the State's block grant program for charter schools. The School will act as its own fiscal agent. The District agrees it will use its ability to transfer funds from the School's Treasury Account to the District only with specific permission from the School.

The District agrees to forward the School's full share of local aid to the School's account at the County Treasurer by the 15th of each month as required under Education Code 47635 when due and to send separate notice to the School of each deposit amount without delay.

19. District Services

The School and the District agree to negotiate in good faith to develop a memorandum of understanding (MOU), separate from this charter that establishes the specific financial and service relationship between the two parties. The School's purchase of goods and services, if any, from the District shall not negate the operational independence of the School from the District. Breach of the MOU shall not necessarily constitute breach of this charter.

The District may charge for the actual cost of supervisory oversight of the School not to exceed one (1) percent of the general purpose and categorical block grant revenue received by the School in accordance with *EC* Section 47613.

The School does not anticipate purchasing any optional services from the District other than such service supplied by the District as part of its three percent fee and at no other cost to the School. In the event that the School does elect to purchase services from the District, consistent with the charter School MOU, the District agrees to provide its rationale for determining fair and reasonable pricing of purchased services.

20. Information Exchange

Explorer Elementary Charter School agrees that the School will promptly respond to all reasonable inquiries, including inquiries regarding its financial records.

The records of the School are public records under the California Public Records Act. The School shall promptly provide the District upon request, copies of any records of the School, including, financial, business and enrollment records. The District may inspect or observe any part of the School at any time. The District agrees it will not do so unreasonably, without notice, or by causing a disruption of student instruction or School operations except in the case of emergency.

The School shall provide the District reports as required by law, currently:

- CBEDS
- ADA reports J18/19
- Budget J210 - preliminary and final
- A School accountability report card
- Copies of the annual, independent financial audits employing generally accepted accounting principles

And, as an accommodation to the District, the School shall further supply the District:

- Reconciliation of the annual audit with the J210
- Copies of all state mandated test results:
 - STAR
 - CELDT
 - California Fitness Exam

Finally, on or before September 15, the School will approve, in a format prescribed by the Superintendent of Public Instruction, an annual statement of all receipts and expenditures of the School for the preceding fiscal year and will file a copy of that statement with the District.

Changes in these reporting requirements may be incorporated by reference into this charter when the District and the School mutually update their MOU (See Funding, Element 18).

21. Internal Dispute Resolution

The School will adopt policies and processes for airing and resolving disputes (other than those between San Diego Unified School District and Explorer Elementary Charter School relating to provisions of this charter or the relationship between them, which are covered in Element Fourteen (N), above).

The District agrees to refer all complaints regarding operations of Explorer Elementary Charter School to the School's chief executive officer for resolution in accordance with the School's adopted policies. In the event that the School's adopted policies and processes fail to resolve the dispute, the District agrees not to intervene in the dispute without the consent of the School unless the matter directly relates to one of the reasons specified in law for which a charter may be revoked. Notwithstanding the above, the District Board of Trustees shall have the ability to intervene in and respond to complaints about the operation of Explorer Elementary Charter School as is required by law.

Disputes potentially leading to revocation of Charter shall be governed by Ed. Code 47607.

22. Mandated Cost Recovery

The School will be responsible for recovering from the State all eligible mandated costs applicable to the School.

23. Charter Term

The term of this charter renewal shall be for a five-year period beginning on July 1, 2009 and ending on June 30, 2014.

24. Charter Revisions

Material revisions to the charter must be approved by the District's Board of Education. However, any proposed revisions to the charter will be presented to the District for a determination as to whether it is a material revision that must be approved by the Board of Education. For those requiring Board approval, the District shall make efforts to bring all proposed material revisions to the Board within 60 days of submission, subject to the Board's meeting schedule and availability of spots on its agenda

25. 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, unless mutually agreed otherwise by the District and the School. The San Diego Unified School District and the School agree to meet to discuss and resolve any issue or differences relating to invalidated provisions in a timely and proactive fashion.

[End]