

SUBJECT

Chief Tahgee Elementary Academy New Charter Petition

APPLICABLE STATUTE, RULE, OR POLICY

I.C. § 33-5205

BACKGROUND

Chief Tahgee Elementary Academy (CTEA) is a proposed new public charter school to be located on the Fort Hall Indian Reservation. The petition was referred to the Public Charter School Commission (PCSC) by Blackfoot School District 55.

DISCUSSION

CTEA's petition is for the establishment of a new public charter school serving Pocatello, Blackfoot, and Fort Hall Indian Reservation students in grades K-6. Plans for expansion may be considered after the fourth year of operation. The proposed school would be a heritage language immersion school with a focus on the Shoshoni language and culture revitalization.

Staff has reviewed CTEA's petition and notes the following, primary concerns:

1. While the thoroughness of the petitioners is appreciated, the petition contains numerous, large sections of duplicate information and information that is better suited to the appendices or the school's policy/procedure manual. Extensive editing has been recommended to reduce the unmanageable length and scope of the petition; highlighted sections of the petition reflect this recommendation.
2. Only one facility option is presented. This option entails renting three modular classroom units and one bathroom unit at an annual cost of \$42,000. Land for the units is being donated by the Shoshoni Bannock tribe. Two other options for land are presented in Appendix BB; however no details have been provided. No backup plan appears to be in place in the event the land donation or modulars plan does not come to fruition.
3. Numerous questions with regard to the budget remain outstanding. Total operating expenses for start-up (pre-opening) appear to exceed start-up revenue by \$111,000. It is unclear how the school plans to cover the additional expenses.

Budget projections indicate CTEA will end each of the first four years of operation with a positive fund balance. A reserve of \$186,000 is anticipated to accumulate by the end of Year Four. Best-case, most-likely, and worst-case scenario budgets have been requested.

4. CTEA intends to develop its own curriculum, much of it in the Shoshoni Language, for teaching the heritage language, social studies, health,

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physical education, and technology. The nature of this project will demand significant time and expertise, in addition to expenses associated with labor, printing, and fabrication of materials. The petition does not currently detail how this challenge will be met.

Additionally, it is unclear whether other curricula selected by the petitioners, such as Spalding, CORE, and Shurley, will be conducive to providing instruction in the Shoshoni language. Training teachers in these methods of instruction, together with the heritage language component, may be difficult.

5. CTEA may face significant hiring challenges. The educational model relies on heritage language immersion, and CTEA's ability to hire a sufficient number of highly qualified teachers who are fluent in the Shoshoni language, or to otherwise provide instruction in Shoshoni, is unclear. The petitioners have initiated searches for tribal members who are willing to obtain teaching certification. Though this level of ambition is admirable, it also raises concerns that the school may begin instruction with mostly first-year teachers using untested curriculum to teach non-bilingual students in a language immersion program.
6. CTEA has not provided documentation of community interest in enrollment at the proposed school, which is anticipated to be approximately 100 students in Year One. It is unclear whether non-American Indian students, as well as American Indian students, are likely to attend the school. Marketing plans contained in the petition are vague.
7. The CTEA bylaws require extensive revision to provide clarity regarding the board election process, compliance with open meeting law, and other matters.

Additional concerns are cited in the petition review memo and imbedded in the petition text.

CTEA is one of two petitions currently before the PCSC for schools that would open within the Blackfoot School District in fall 2013. Due to the passage of House Bill 481, which removes the restriction on the number of public charter schools that may open in a single district in any given year, the PCSC should strongly consider any comment provided by the district regarding the potential impact of these proposed schools. It should be noted that the district referred the petitions to the PCSC prior to the availability of information regarding HB 481.

IMPACT

If the PCSC approves the petition, CTEA will be responsible for notifying the State Board of Education of such approval, seeking authorization to begin

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operations for the 2013-2014 school year, and seeking authorization for LEA status. The PCSC will be responsible for the general oversight of the school.

If the PCSC denies the petition, the petitioners could appeal to the State Superintendent of Public Instruction, or they could decide to not proceed further.

The PCSC may elect to delay a decision on the petition for up to 60 days.

STAFF COMMENTS AND RECOMMENDATIONS

Staff recommends that the PCSC delay a decision on the CTEA petition to allow time for further revisions in accordance with PCSC and staff guidance.

COMMISSION ACTION

A motion to hold the decision on the Chief Tahgee Elementary Academy petition until the next meeting of the PCSC and to direct staff to work with the petitioners to address concerns in item(s) _____.

OR

A motion to approve the petition for Chief Tahgee Elementary Academy.

OR

A motion to deny the petition for Chief Tahgee Elementary Academy based on item(s) _____.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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**PUBLIC CHARTER SCHOOL COMMISSION STAFF REVIEW
OF PUBLIC CHARTER SCHOOL PETITION**

Name of Proposed Public Charter School: **Chief Tahgee Elementary Academy**

Date: **3/6/2012**

Petition Delivered to Commission Staff: **1/27/2012 (considered received 2/9/12)**

File Number: **2012-01**

Proposed school year: **2013-2014**

Proposed grades to begin operations: **K-6**

Proposed attendance area: **Pocatello School District, Blackfoot School District, and Fort Hall Indian Reservation**

Means by which petition came to Commission:

Virtual school

Referred by school district

Reason for referral: **Both CTEA and Blackfoot School District feel that the PCSC would be a more appropriate authorizing entity.**

Filed by petitioner after withdrawal from school district

Date of filing with board of trustees:

SBOE re-directed petition for consideration by commission?

Reason for referral:

Transfer of district-authorized charter school

Reason for request:

Documentation of district agreement to proposed transfer, including any charter revisions, has been provided

**REQUIRED ELEMENTS OF THE PETITION IN FORMAT REQUIRED
BY THE PUBLIC CHARTER SCHOOL COMMISSION
IDAPA 08.03.01.401**

COVER PAGE & TABLE OF CONTENTS

Name of proposed charter school

School year petitioning to open the school

Name of the school district(s) affected by the attendance area

Where the public charter school building will be physically located, or the physical location of the main office of a virtual school

Name, address, telephone number, fax number, and email address of the petitioner's authorized representative

Table of contents

Comments:

Missing information on cover page – school year opening, affected districts, address of authorized representative.

TAB 1

- X Articles of Incorporation, file-stamped by Secretary of State's Office *I. C. § 33-5204(1)*
- X Adopted Bylaws *I. C. § 30-3-21(1)*
- X Signatures of at least 30 qualified electors of designated service area? *I. C. § 33-5205(1)(a)*
- X Mission and vision statements

Comments:

Please edit the entire petition, including Articles and Bylaws, for consistency in how you refer to board members and CTEA.

Appendix A Articles of Incorporation:

- **Article XIV – Remaining assets must be distributed to the ACE.**

Appendix C Bylaws:

- **Article IV, Section 1.1: Some of the listed responsibilities may be better delegated to employees.**
- **Article IV, Section 3: We recommend that the size of the board be a range, such as 5 to 7 members, rather than a specific number. This reduces the likelihood that CTEA will be out of compliance in the event a board seat becomes vacant unexpectedly.**

It is not appropriate for any employee to serve on the board, ex-officio or otherwise, though administrator attendance is typically encouraged or required.

- **Article IV, Section 4: How will the two trustees that serve 6 year terms and the three that will serve 5 year terms be determined? When will appointments/elections take place?**

These terms are unusually long and may discourage individuals from wishing to serve. Also, it is inadvisable to have individuals appointed to serve indefinitely, as problems with certain board members sometimes arise and there needs to be a means (preferably one easier than formal removal) of replacing these individuals if necessary.

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Note that it will not necessarily be possible for CTEA to have a founder serving on the board at all times, particularly many years into the life of the school.

Please describe the election process. What nominating process will be used? Must individuals be present to vote? May more than one member of a stakeholder family vote? (This last question requires consideration, particularly in light of students whose residency is split between two homes, etc.)

What defines cause for removal of a board member? Is there a process by which stakeholders may initiate removal?

Note that the provisions of the "Vacancies" section, combined with very long terms, could result in an all-appointed board for an extended period.

- ***Article IV, Section 11: Although this section addresses notice to board members, please remember that open meeting law requires that at least a 5 calendar day meeting notice and 48 hour agenda notice be given. Special meeting requirements are 24 hour meeting and agenda notice and emergency meetings must meet the definition outlined in open meeting law and require a good faith effort to be made for advance notification.***
- ***Article V, Section 5: We recommend removing the commitment to posting meeting notices in publications, as the cost of placing such ads may become prohibitive. Notice needs to be posted in public places, but not necessarily published in periodicals.***
- ***Article V Section 7: The public as well as all trustees must be able to hear all other meeting participants when using synchronous communication.***
- ***Article V Section 10: Agendas must be posted according to timelines established by open meeting law.***
- ***Article V Section 12: Please note that open meeting law requires that meeting minutes be written and made available to the public within a reasonable time after the meeting.***
- ***Article VI Section 4: Why are the votes of 5 trustees required to remove an officer rather than 4 if a quorum is defined as 4? A similar question applies to the establishment of committees (Article VII).***

- **Article VI, Section 9:** *This section sounds like it may require the treasurer to fulfill some day to day duties that may be better performed by employees.*
- **Article VIII:** *Note that the school's administrator will be under contract.*
- **Article IX, Section 8:** *Note that some books and records are excluded from public records requests.*
- **Article X:** *Amendments to the bylaws must be approved by the ACE.*

Appendix A Definition of terms: *In the last sentence of the definition for special board meetings (pg 136) should the word "proceeded" be "preceded"?*

Tab 1 Sections 1.1-1.5: *These sections are not necessary, as they do not seem to be the actual Articles of Incorporation, which are contained in Appendix A. There is no need to reiterate the information.*

TAB 2

- Proposed operation and potential effects of the public charter school *I.C. § 33-5205(4)*
 - Facilities to be used by the public charter school
 - X The manner in which administrative services will be provided
 - X Potential civil liability effects upon the public charter school and the authorized chartering entity
 - X Commitment to secure property and liability insurance. *I. C. § 33-5204(4)*
Errors and Omissions insurance is not required by statute but is recommended.

Comments:

2.1.5 Facilities: *This section needs to include much more detail. A minimum of three facility options are required by the Commission. Please outline each option in detail including location, size, description, costs, lease or mortgage terms, special use or other permits required, land options and costs, timeline, documentation that demonstrates compliance with all applicable codes/health and safety laws, ground and exterior preparation with associated costs, availability of each option, etc. The more detail you give the better as this is a major area of concern for the Commission, hence it is highly scrutinized.*

Please make sure your budget accounts for all expenses related to your facility options. Note that it is unwise to allow all your facility plans to be

dependent on donated land. The PCSC will want to see evidence that CTEA can survive financially even if such plans fall through.

TAB 3

- X Proposed educational plan and goals, including how each of the educational thoroughness standards defined in I.C. 33-1612 shall be fulfilled *I.C. 33-5205 (4)(a)*
- X Description of what it means to be an “educated person” in the 21st century and how learning best occurs *I.C. 33-5205 (4)(a)*
- X The manner by which special education services will be provided to students with disabilities who are eligible pursuant to the federal individuals with disabilities education act. *I.C. § 33-5205(3)(q)*
- X Plan for working with parents of dually-enrolled students and the manner by which eligible students from the public charter school shall be allowed to participate in dual enrollment in non-charter schools within the same district as the public charter school, as provided for in section 33-203(7), Idaho Code. *I.C. § 33-5205(3)(r)*
- X The manner in which gifted and talented students will be served.

Comments:

3.3.3.4: How will CTEA locate a sufficient number of highly qualified teachers who are fluent in the Shoshoni language? Will CTEA be able to hire experienced teachers who speak Shoshoni? Given the inherent challenges of teaching a newly developed curriculum in a new school, using a language immersion model, it seems unwise to proceed with mostly beginning teachers.

3.3.4: How will instructional materials that are in the Shoshoni language be acquired or developed? Are materials available in all content areas in the Shoshoni language? What amount of time and expense will be involved in the development of curriculum? Consider labor, printing, and materials fabrication.

3.3.5.4.2.2: Make sure your budget allows for the purchase of computers as well as the software and hardware required to fulfill this requirement.

3.3.5.5.2.1: How will you align your curriculum to the common core state standards? Who will be responsible for this? How will you ensure that the cultural and language requirements in your charter are aligned with the common core state standards?

3.3.5.5.2.2: Are the Spalding, CORE, and Shurley methods conducive to providing instruction in the Shoshoni language? It would seem that training teachers in these methods of instruction along with the Shoshoni language component could be a significant challenge.

3.3.5.5.2.3: *The commitment to personalized learning goals seems to be a generic statement included in many charters, but it is rarely carried out. Please note that your school will be held accountable for all statements made in the charter. According to this statement, students, parents, and educators must work together to develop a personalized learning goal for every student.*

3.3.5.5.2.4: *How will fine arts, language arts, and the scientific method be emphasized? How will you measure this? How will you know when this goal has been met?*

3.3.5.5.2.5: *This seems to be another generic statement included in many charters. What is the definition of a comprehensive health curriculum? Who will provide the instruction? Will the regular classroom teachers be qualified and have the time to include a comprehensive health curriculum as part of their instruction?*

3.3.5.5.2.6: *What contingency plans are there in case you are unable to establish partnerships?*

3.3.5.6.2.2: *The statement “provide a technology rich environment” is very broad and vague. Further define this statement so it is clear how the school intends to meet this standard and how you will know when it has been met. Include statements regarding student access to technology (i.e. equipment, software, and time per day/week).*

The budget must allow for “providing a technology rich environment”. Thus, it should reflect sufficient amounts to supply necessary hardware and software for adequate student access to technology.

3.3.5.6.2.3 and 3.3.5.6.2.4: *How will these habits be measured? How will you know when these goals have been met?*

3.3.5.7.2.1: *Which courses will use technology as the primary instructional delivery system? Does your budget allow for the necessary equipment, hardware, and software to be purchased?*

3.3.5.7.2.3: *Do you have or plan to develop a technology use policy that will deal with possible issues relating to students using email, etc.?*

3.3.5.8.2.1.: *Further define a comprehensive community service program. Who is responsible for implementing this? How will you measure your success?*

3.3.7: *Can your budget support paying both the director and a curriculum/instruction/assessment coordinator?*

3.7.12: This statement holds you accountable for hiring a certified ENL/bilingual teacher to administer the LEP program. Are you certain CTEA will be able to employ such a person? Remember, again, that you will be held accountable to every commitment made in the approved charter.

All Parent Participation Sections: Since all of these sections state the same thing, it would be appropriate to combine all of the parent participation sections into one section under Tab 5.

TAB 4

- X Measurable student educational standards, which means the extent to which all students demonstrate they have attained the skills and knowledge specified as goals in the school's educational program. *I.C. § 33-5205(3)(b)*
- X The method by which student progress in meeting the student educational standards is to be measured. *I.C. § 33-5205(3)(c)*
- X Provision by which students will be tested with the same standardized tests as other Idaho public school students. *I.C. § 33-5205(3)(d)*
- X A provision which ensures that the public charter school shall be state accredited as provided by rule of the state board of education. *I.C. § 33-5205(3)(e)*
- X A provision describing the school's plan if it is ever identified as an "in need of improvement" school as outlined in the No Child Left Behind Act

Comments:

Section 4.1: The MSES need to be revised so there is a manageable number (most charters contain about 5). Also the MSES must be academically focused and measureable. Please see in-text comments.

TAB 5

- X The governance structure of the school including, but not limited to, the person or entity that shall be legally accountable for the operation of the public charter school? *I.C. § 33-5205(3)(f)*
- X The process to be followed by the school to ensure parental involvement? *I.C. § 33-5205(3)(f)*
- X The manner in which an annual audit of the financial operations of the public charter school is to be conducted. *I.C. § 33-5205(3)(k)*

Comments:

Section 5.1.3: Information that is contained in the bylaws does not need to be repeated in the body of the charter.

TAB 6

- X The qualifications to be met by individuals employed by the public charter school. Instructional staff shall be certified teachers, or may apply for a waiver or any of the limited certification options as provided by rule of the state board of education. *I.C. § 33-5205(3)(g)*
- The procedures that the public charter school will follow to ensure the health and safety of students and staff. *I.C. § 33-5205(3)(h)*
- X A provision which ensures that all staff members of the public charter school will be covered by the public employee retirement system, federal social security, unemployment insurance, and workers compensation insurance? The budget should reflect consideration of these provisions. *I.C. § 33-5205(3)(m)*
- X A description of the transfer rights of any employee choosing to work in a public charter school and the rights of such employees to return to any non-charter school in the school district after employment at a public charter school. *I.C. § 33-5205(3)(o)*
- X A provision which ensures that the staff of the public charter school shall be considered a separate unit for purposes of collective bargaining. *I.C. § 33-5205(3)(p)*
- X A statement that all teachers and administrators will be on written contract *I.C. § 33-5206(4)*

Comments:

See in-text comments.

TAB 7

- X Admission procedures, including provision for over-enrollment. Such admission procedures shall provide that the initial admission procedures for a new public charter school, including provision for over-enrollment, will be determined by lottery or other random method, except as otherwise provided by this provision. *I.C. § 33-5205(3)(j)*
- X The disciplinary procedures that the public charter school will utilize, including the procedure by which students may be suspended, expelled, and re-enrolled. Disciplinary procedures for Special Education Students should also be included. *I.C. § 33-5205(3)(l)*
- X The governing board of the charter school shall ensure that procedures are developed for contacting law enforcement and the student's parents, legal guardian or custodian regarding a student reasonably suspected of using or being under the influence of alcohol or a controlled substance. Charter school policies formulated to meet the provisions of Section 37-2732C, Idaho Code, and this section shall be made available to each student, parent, guardian or custodian by August 31, 2002, and thereafter as provided by Section 33-5126, Idaho Code. *I.C. § 33-210(3)*

- X The public school attendance alternative for students residing within the school district who choose not to attend the public charter school. *I.C. § 33-5205(3)(n)*
- X The process by which the citizens in the area of attendance shall be made aware of the enrollment opportunities of the public charter school. *I.C. § 33-5205(3)(s)*
- X A plan for the requirements of section 33-205, Idaho Code, for the denial of school attendance to any student who is a habitual truant, or who is incorrigible, or whose conduct, in the judgment of the board of directors of the public charter school, is such as to be continuously disruptive of school discipline, or of the instructional effectiveness of the school, or whose presence in a public charter school is detrimental to the health and safety of other pupils, or who has been expelled from another school district in this state or any other state. *I.C. § 33-5205(3)(i)*
- X The student handbook that describes the school rules and the procedure ensuring a student's parent or guardian has access to this handbook.

Comments:

See in-text comments.

TAB 8

- X A detailed business plan including:
 - i. Business description
 - ii. Marketing Plan
 - iii. Management plan
 - iv. Resumes of the directors of the nonprofit corporation
 - v. The school's financial plan
 - vi. Start-up budget with assumptions form
 - vii. Three year operating budget form
 - viii. First year month-by-month cash flow form
- X A proposal for transportation services. The budget should reflect estimated cost. *I.C. § 33-5205(3)(t)*
- X Plans for a school lunch program, including how a determination of eligibility for free and reduced price meals will be made

Comments:

See in-text comments.

TAB 9 -- VIRTUAL SCHOOLS

- If the petition is for a virtual school, a brief description of how the school meets the definition of a virtual school as defined by *I.C. § 33-5202A(6)*
- The learning management system by which courses will be delivered;
- The role of the online teacher, including the consistent availability of the teacher to provide guidance around course material, methods of

- individualizing learning in the online course, and the means by which student work will be assessed;
- A plan for the provision of professional development specific to the public virtual school environment;
- The means by which public virtual school students will receive appropriate teacher-to-student interaction, including timely, frequent feedback about student progress;
- The means by which the public virtual school will verify student attendance and award course credit. Attendance at public virtual schools shall focus primarily on coursework and activities that are correlated to the Idaho State Thoroughness Standards.;
- A plan for the provision of technical support relevant to the delivery of online courses;
- The means by which the public virtual school will provide opportunity for student-to-student interaction; and
- A plan for ensuring equal access to all students, including the provision of necessary hardware, software, and internet connectivity required for participation in online coursework.

Comments:

TAB 10

- X A description of any business arrangements or partnerships with other schools, educational programs, businesses, or nonprofit organizations, and copies of any contracts or lease agreements.
 - Services identified as being contracted:
 - Curriculum YES X NO
 - Special education X YES NO
 - Transportation X YES NO
 - Meals X YES NO
 - Legal YES X NO
 - Accounting YES X NO
- Copies of contracts included in petition
- Additional information the petitioners want the authorized chartering entity to consider as part of the petition
- X A plan for termination of the charter by the board of directors, to include:
 - (i) Identification of who is responsible for dissolution of the charter school;
 - (ii) A description of how payment to creditors will be handled;
 - (iii) A procedure for transferring all records of students with notice to parents of how to request a transfer of student records to a specific school; and
 - (iv) A plan for the disposal of the public charter school's assets. *I.C. § 33-5205(3)(u)*

Comments:

See in-text comments.

Please specify the agreement terms for transportation and nutrition that are being explored through the Shoshone-Bannock Jr/Sr High School. The support letter specifies that it is not feasible to allow the entire operation of the charter school to take place within a portion of the Sho-Ban Jr/Sr High School. What are they willing and able to accommodate and under what terms?

What is the contingency plan for transportation and nutrition if an agreement with Sho-Ban Jr/Sr High School is not reached?

APPENDICES

- X State Department of Education sufficiency review. I.C. §33-1612 ; IDAPA 08.02.04.200.03
- Written response to the findings of the sufficiency review.
- X Written comments from an authorized representative of the school district.

Comments:

Much of the information contained in the appendices is also contained in the petition. It is unnecessary to duplicate information. Please edit the document and remove all duplicate information. Most of the duplicate information is better suited to the appendices or can be removed entirely, as it is more appropriate to your policies and procedures manual.

Appendix AA states that students will participate in physical education taught by a credentialed teacher. This sounds like the school intends to hire a certified PE teacher. Is this your intent? Will the position be full time? Is this position included in your budget?

Appendix AI (handbook): The personalized Learning Plans section requires that all students have a parent approved student learning plan that is developed by students and parents with recommendations from school personnel. Is it realistic that the school will be able to accomplish this task?

Appendix AM (start up budget): The total expenses and net operating income/loss columns have been left blank. Please fill in correct amounts.

What administrative and other salaries will need to be paid during the start-up phase? How much will these total?

Why are contract services, testing and assessment, and substitute costs included in the start-up budget?

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Your total operating expenses for start-up appear to exceed the start-up revenue by \$111,000. How will you cover the additional expenses?

Williams Scotsman Modular Quote: The quote seems to have been adjusted to show the cost of 3 classroom units and 1 bathroom unit. How will grades K-6 fit into 3 classrooms, even with combined classes? Also, will elementary students need to go outside to a separate unit to use the restroom? Does this create safety concerns?

The quote shows that rent for the four units for a year is about \$42,000. Is there also a cost for the land? Will the land be purchased or leased? Please explain all land related issues in detail and include all land related costs in the budget.

The total Property and Set-Up fee is shown as about \$47,500. This does not appear to include any costs for permits, required parking/curbing, installation of septic/electric/water if necessary, etc. Your facility explanation should include the required permits and related costs.

The second page of the Williams Scotsman Quote needs further clarification. To what does the monthly rate of \$790 refer? What do the initial charges of \$8,500 cover? To what do the total charges of \$48,121 refer? Is this quote separate from, or part of, the first page to the quote? The figures appear to coincide for some items but not others. Please explain in detail.

There is only one facility option presented. At least 3 options are required to be presented in the petition. Three location areas for modulares are presented in Appendix BB. However no details are provided. Also you need to have backup plans in case the modular plan falls through. The budget proposals must include all costs associated with the 3 facility options.

It is unclear whether the budget supports the modular facility costs. It appears to do so however, the second page of the Williams Scotsman quote contains total charges of \$48,121. If this amount is above the estimated costs on the first page of the quote, the budget does not support the extra costs. Please explain.

In year two of the three year budget proposal, why do network/technology administrator expenses decrease by \$9,000?

Do the \$10,000 initial facility set-up expenses and the increase of \$12,000 rent account for the addition of another modular unit in year 2?

Is another modular unit being added in year 4?

What is the cost for developing the Shoshoni Language, Social Studies, Health, Physical Education, and Technology curriculum and materials? It seems that CTEA will incur a significant expense for labor, printing and fabrication, etc.

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Appendix AQ (Bilingual Recruitment): *What kind of a response did you get from this event? Will you be able to recruit enough qualified teachers who are bilingual in the Shoshoni language to meet the needs of the school?*

Appendices G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, AB, AC, AD, AE, AF, AG, AH, AV, AW, AX, AY, AZ, & BA all contain good information, but do not need to be included with the petition.

GENERAL COMMENTS

While we appreciate the unusual thoroughness of your petition and the thought that went into its preparation, many sections (those that are highlighted) contain information that is redundant or unnecessary. Please be advised that statute obliges your ACE to hold the school accountable for all statements contained in the charter. Thus, although the extraneous information will lead to good practice, most of it should be addressed through other documents, such as policy and procedure manuals.

Please add to your petition the following, additional sections now required by the PCSC:

- *Detailed board training plan, including timelines. This should address both initial and ongoing board training.*
- *Professional standards for school board members and administrators*
- *Pre-opening plan and timeline, including deadlines for major milestones such as securing a facility.*

These sections may be included under Tab 10 or wherever you see them best fitting in the petition.

IMPORTANT: *Remember that all changes to your petition must be submitted in legislative (or "redline") format. That is, text to be removed should be shown as ~~stricken~~, and text to be added should be underscored.*

Legislative formatting from prior revisions should be removed so that only the most recent revisions are shown. Note that use of your word processing software's "show edits" feature is NOT an acceptable substitute for legislative formatting. Color and font should NOT be used to emphasize or replace legislative formatting.

Legislative formatting need not be used on budget spreadsheets or when entire appendices are simply re-ordered but not changed.

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To: PCSC Commissioners

From: PCSC Staff

Regarding: Odyssey Public Charter School Founding Board Member Interviews

PCSC staff completed interviews with the five founding board members for Idaho STEM Academy. These interviews focused on the members' interest in founding the school, their understanding of board member and authorizer roles, the experience and expertise they bring to the board, their level of understanding regarding school finance and business accounting, and the challenges they anticipate as the school opens.

Our interviews revealed that one board member is an attorney, one is a CPA, and three are professional educators. All five board members are parents. The board brings expertise in corporate structures, parochial school attendance, sales, real estate, finance, and teaching. The members are personally invested in the school, as they plan to have their own children attend Odyssey.

The consensus of the members is that Charter schools provide choice, innovation, and responsiveness in education. They see the mission of Odyssey as being a secondary education alternative that is project based. The Board perceives their role to include providing expertise in their particular fields, advertising, community education, and setting up the infrastructure. The level of understanding regarding school finance appears to be at an introductory level; although some members have general business finance knowledge.

The board members seem to have a fairly solid understanding of the role of the board, seeing it as being one of governing the school, setting policies, and overseeing the finances and general operation of the school. Each member understands the value of formal board training and has verbally committed to participate in such training. The potential challenges they anticipate are adequate enrollment, marketing, creating the culture of the school, the facility, and staying financially sound. Board members perceive the role of the authorizer as being one of oversight and know that the school is accountable to the authorizer.

Strengths of the board:

- Personal investment
- Role definition
- Legal and finance expertise
- Commitment to training

Areas of concern:

- Low level of school finance knowledge
- No board member representation from non-parents

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Public Charter School Petition



Submitted to the
Idaho Charter School Commission
January 27, 2012

Please include a mailing address on the cover sheet.

Chief Tahgee Elementary Academy
NW Corner of Rio Vista and Cemetery Roads
Pocatello, ID 83202

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Chief Tahgee Elementary Academy

EIN 45-3150830

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April 5, 2012

TAB 1: Articles of Incorporation, By-Laws, Signatures, and Mission Statement

Section 1.1 - Articles of Incorporation I.C. §§33-5204 (1)

Section 1.2 - Signed Bylaws I.C. §§33-5204 (1), §30-3-21(1)

Section 1.3 - Application for Non-Profit Status I.C. §§33-5204 (1)

Section 1.4 - Signatures of Qualified Electors I.C. §§33-5205 (1)(a), §§33-5205(3)

Section 1.5 - Proof of Charter Start 101 Workshop Attendance I.C. §§33-5305 (5)

Section 1.6 – Vision Statement and Mission Statement I.C. 08.02.04.202

Section 1.1 - Articles of Incorporation, Chief Tahgee Elementary Academy, Inc

1.1.1 Nonprofit Corporation Act. According to Idaho Code §§33-5204 (1), Chief Tahgee Elementary Academy (CTEA) will be organized and managed under the Idaho Nonprofit Corporation Act.

1.1.2 Internal Revenue Code 501(c)(3). Chief Tahgee Elementary Academy is organized exclusively for educational purposes within the meaning of IRC Section 501(c)(3) of the Internal Revenue Code of 1986 and will not carry on any activities prohibited under said code, corresponding sections of any future federal internal revenue laws, or by a corporation to which contributions are deductible under Internal Revenue Code §§170(c)(2.)

1.1.3 Articles of Incorporation. In compliance with Idaho Code §§33-5204 (1), Articles of Incorporation were filed with the Idaho Secretary of State's Office and recorded on September 1, 2011 (See Appendix A).

1.1.4 Employer Identification Number. Chief Tahgee Elementary Academy was assigned the Employer Identification Number (EIN) of 45-3150830 by the Internal Revenue Service on September 1, 2011 (See Appendix B).

1.1.5 Public Record of Articles. Chief Tahgee Elementary Academy will retain a record of the file-stamped original copy of the Articles of Incorporation from the Idaho Secretary of State's Office, the Federal Employer Identification Number, and its 501(c)(3) status. Chief Tahgee Elementary Academy will comply with Idaho Code §§9-338 - §§9-339 by providing copies of the Articles of Incorporation and EIN through written request and/or e-mail.

Section 1.2 - Chief Tahgee Elementary Academy Bylaws

1.2.1 Governing Bylaws. According to Idaho Code §§33-5204 (1) and §§30-3-21(1), Chief Tahgee Elementary Academy will be organized and managed through adopted bylaws as specified by the Idaho Nonprofit Corporation Act (See Appendix C).

1.2.2 Public Record of Bylaws. Chief Tahgee Elementary Academy will retain a record of the original signed Bylaws adopted by the Board of Trustees (Board) and any subsequent amendments thereof. Chief Tahgee Elementary Academy will comply with Idaho Code §§9-338 - §§9-339 by providing copies of the Bylaws to the public through CTEA's website, written requested, and/or e-mail.

Section 1.3 - Documentation of Application for Non-Profit Status

1.3.1 Internal Revenue Code. Chief Tahgee Elementary Academy will acquire and retain nonprofit, tax-exempt status according to the Internal Revenue Code §§501(3)(c). Chief Tahgee Elementary Academy has currently completed Form 1023 Application for Recognition of Exemption under Section 501(c)(3) application and filed on November 2, 2011 (See Appendix D).

1.3.2 Record of Non-Profit Status. Chief Tahgee Elementary Academy will retain a record of the of its §§501(c)(3) status and comply with Idaho Code §§9-338 - §§9-339 by providing copies of this document to the public through written requested and/or e-mail.

The Articles and Bylaws themselves will cover this information, which need not be reiterated here. Tab 1 should merely refer readers to the relevant appendices.

Section 1.4 - Signatures of Qualified Electors

1.4.1 Petition of Qualified Electors. Chief Tahgee Elementary Academy will provide no less than thirty (30) signatures of qualified electors form the designated attendance area as specified in Idaho Code §§ 33-5205 (1) (a) and §§33-5205(3) (See Appendix E).

1.4.2 Primary Attendance Area. As delineated in Idaho Code §§33-5206(1), attendance area is composed of the compact and contiguous area. For the purpose of Chief Tahgee Elementary Academy, this area includes the current designated boundaries of the Pocatello School District, Blackfoot School District, and entirety of the Fort Hall Indian Reservation.

The primary attendance area need only be described once. Tab 2 is the appropriate location.

1.4.3 Public Record of Electors. Chief Tahgee Elementary Academy will retain a record of the original petition of qualified electors. The school will comply with Idaho Code §§9-338 - §§9-339 by providing copies of these signatures to the public through written requested to the main office or by e-mail. Copies of the petition signatures can be picked up from the main office or a copy will be mailed to the requestor. Unnecessary. This information is in the appendix.

Section 1.5 - Proof of Attendance at Charter Start 101 Workshop

1.5.1 Charter Start 101 Workshop Attendance. In compliance with Idaho Code §§33-5205 (5), a founder of CTEA will be required to attend the Charter Start 101 Workshop (See Appendix F).

1.5.2 Record of Charter Start 101 Workshop. Chief Tahgee Elementary Academy will retain a record certifying attendance at a Charter Start 101 Workshop and comply with Idaho Code §§9-338 - §§9-339 by providing copies of this document to the public through written requested and/or e-mail.

It is not necessary to refer repeatedly to public records law. One statement that CTEA will comply with said law is sufficient.

Section 1.6 - Vision & Mission Statements I.C. 08.02.04.202

1.6.1 Vision Statement. Chief Taghee Elementary Academy will be an exemplary student-centered learning organization reflecting the Shoshone-Bannock values of deniwape (lifeways of the people) and life-long learning. Our primary objective is to produce students who are bilingual speakers and thinkers in the Shoshoni and English languages,

while at the same time exceed both national and state academic standards. Overall, the vision is to increase the academic success of our students and revitalize the Shoshoni language among elementary school children through a culturally and linguistically relevant heritage language immersion educational program.

1.6.2 Mission Statement. The mission of CTEA's heritage language immersion program is to provide a positive environment in which all students will be educated in the Shoshoni and English languages in order to better prepare them academically, socially, and culturally to meet the future challenges of a global society. CTEA has three primary purposes: academics, bilingualism, and cultural enrichment. Centered on the Shoshone-Bannock culture and through the use of the Shoshoni language, the curriculum and instructional materials are designed to increase the academic achievement of our students. Cross-curricular thematic instruction will be heavily influenced by the sciences and the performing and visual arts. CTEA is dedicated to advancing academic excellence by providing students in kindergarten through sixth grades with the intellectual capacity to participate and work productively in a multicultural society.

The vision and mission statement appear to be reversed. The mission statement should outline what the school plans to accomplish and the vision statement describes how the mission will be accomplished.

TAB 2: Proposed Operation and Potential Effects of the Public Charter School

Section 2.1 - Proposed Operations I.C. §§33-5205 (4)

- 2.1.1** Operations
- 2.1.2** Administrative Services
- 2.1.3** Location & Attendance Area
- 2.1.4** Target Size
- 2.1.4** Facilities
- 2.1.5** Potential Civil Liability

Section 2.2 - Potential Effects I.C. §§33-5205 (4)

Section 2.3 - Insurance Coverage I.C. §§33-5204(4)

Section 2.1 - Proposed Operations

2.1.1 Operations. Chief Tahgee Elementary Academy, Inc. was incorporated on September 1, 2011 and will be a non-profit entity organized and managed under the Idaho Nonprofit Corporation Act. This Corporation is organized for the charitable, educational, and innovative purposes in order to do all things reasonable and proper in the operation of a nonprofit charter school within the state of Idaho. This corporation is organized exclusively for educational purposes within the meaning of IRC Section 501(c)(3) of the Internal Revenue Code of 1986 and will not carry on any activities prohibited under said code, corresponding sections of any future federal internal revenue laws, or by a corporation to which contributions are deductible under Internal Revenue Code §§170(c)(2). The Corporation will have all powers allowed by law, including, without limitation, those powers described in Section 30-2-24 of the Idaho Code. Furthermore, the corporation will not engage in any activities or execute powers not in direct furtherance of this corporation's stated and inferred purposes. Chief Tahgee Elementary Academy has currently filed for Recognition of Exemption under Section 501(c)(3).

2.1.1.1 Founders. This information should appear in Tab 7, enrollment lottery, and need not be reiterated in multiple locations. A Founder is defined in Section 33-5202(a)(3), Idaho Code, and means a person, including employees or staff of a public charter school, who makes a material contribution toward the establishment of a public charter school in accordance with criteria determined by the Board of the public charter school, and who is designated as such at the time the Board of Trustees acknowledges and accepts such contribution.

2.1.1.1.1 The criteria for determining when a person is a founder will not discriminate against any person on any basis prohibited by the federal or state constitutions or any federal, state, or local law. The designation of a person as a founder, and the admission preferences available to the children of a founder, will not constitute pecuniary benefits.

2.1.1.1.2 An organizing group of founders have written the initial petition for CTEA and have recruited and appointed an initial governing board of trustees. All remaining founders will be appointed as members of the Founding Advisory Committee (FAC) and continue to be a data gathering entity that participates in recommending curriculum, instruction, professional development and/or daily operations that will reflect the vision, purpose and mission of CTEA. Additional founding members may be recruited prior to the official opening of the first school year in order to accomplish the goals of CTEA. This group will remain on advisory committees until their terms have expired, removed by the Board of Trustees (Board), or as otherwise dictated in the Bylaws of the Corporation. The Board retains the right to restructure or abolish advisory committees if deemed in the best interest of the organization. This paragraph fails to define "founder" to the extent that may be necessary to avoid dispute.

2.1.1.2 Advisory Committees. This belongs in the Bylaws. Advisory committees will be established and provide, as appropriate, advice and information to the Board of Trustees. Members for these committees will include, but not be limited to: professional educators, legal advocates, students, stakeholders and other interested persons. The Board of Trustees and/or committee chairpersons will make appointments to the advisory committees.

2.1.1.3 Board of Trustees. This belongs in the Articles/Bylaws. The Board of Trustees will have the full power and duty to manage and oversee the operation of the Corporation's business and to pledge the credit, assets, and property of the Corporation when necessary to facilitate the efficient operation thereof. Authority is given to the Chief Tahgee Elementary Academy Board of Trustees by the State of Idaho as provided in the Public Charter Schools Act of 1998 (I.C. §§33-5204). Trustees will be deemed public agents to oversee and manage the operations and finances of CTEA. The Board will have all the power and duties generally afforded to a board of directors. Chief Tahgee Elementary Academy will be considered a public school for all purposes, and as such, will be responsible to identify and comply with all statutory requirements affecting the operation of a public school (See Bylaws Appendix C).

2.1.1.4 Open Meeting Law. The Board of Trustees will adhere to all regulations addressed in the Idaho Open Meeting Law I.C. §§67-2340 through §§67-2347.

2.1.1.5 Public Records Law. The Board of Trustees will adhere all regulations addressed in the Idaho Public Records Law I.C. §§9-337 through §§9-350.

These statements are sufficient to cover the entire petition; no need to reiterate the commitments they contain. However, they should be edited to commit the entire school to compliance, not merely the board.

2.1.1.6 Administrative Procedures. Tab 5 Chief Tahgee Elementary Academy's administrative organization will be designed so that all divisions and departments are part of a single system guided by Board policies, which are to be implemented through the Director of School Programs. Other administrators are expected to administer their resources in accordance with federal and state regulations, Board policy, and the rules and procedures outlined by the Director of School Programs.

2.1.2 Administrative Services. Tab 5 Administrative services for CTEA will be provided for by the Director of School Programs (Director). The Director must possess, or be qualified to possess, a valid Idaho Administrator Certificate in a period of time deemed acceptable to the Board. Under the direction of the Board, the Director will determine the day-to-day operations of the school in accordance with Title 33 of Idaho Code. In order to acquire the most talented administrators, the Board reserves the right to reassign responsibilities of the Director upon a super-majority (2/3rds) vote; reassignment(s) will be subject to pending contracts. The Director will be ultimately responsible to oversee the following areas:

2.1.2.1. Responsibilities of the Director of School Programs *policy/procedure manual*

- 2.1.2.1.1 Accountability & Testing
- 2.1.2.1.2 Capital Accounts
- 2.1.2.1.3 Collective Bargaining Cost Analysis
- 2.1.2.1.4 Construction/Facilities/Maintenance
- 2.1.2.1.5 Fiscal Forecasting
- 2.1.2.1.6 Grants, Gifts & Fundraising
- 2.1.2.1.7 Insurance & Fringe Benefits
- 2.1.2.1.8 Medicaid Management
- 2.1.2.1.9 Payroll
- 2.1.2.1.10 Purchasing & Contracts
- 2.1.2.1.11 Technology
- 2.1.2.1.12 Transportation
- 2.1.2.1.13 Strategic Planning
- 2.1.2.1.14 Human Resources
- 2.1.2.1.15 Budget/Budget Reporting
- 2.1.2.1.16 Interscholastic Relations – Charter & Traditional
- 2.1.2.1.17 Curriculum, Instruction & Special Programs
- 2.1.2.1.18 External Organizations/Agencies
- 2.1.2.1.19 Federal Programs – Impact Aid (PL 81-874), Johnson O'Malley, Title II-A, Title I-A, Title VI-B, Title VII
- 2.1.2.1.20 Athletics/Activities/Afterschool Programs
- 2.1.2.1.21 Professional Development & Assessment
- 2.1.2.1.22 Public Relations & Marketing
- 2.1.2.1.23 Principal – Head of School
- 2.1.2.1.24 Schools & Administrators
- 2.1.2.1.25 Board Relations

2.1.2.2 *Contracts.* When deemed in the best interest of CTEA, selected financial and organizational operations may be contracted out to licensed and bonded entities. The Director will be responsible for oversight of these contracts. No contractual agreements have been made at this time.

This should be under Tab 10.

2.1.2.3 *Reporting.* Annual programmatic operations and financial reports will be presented by the Director to the Board of Trustees and the Authorizing Chartering Entity (ACE) when the data becomes available and in a timely manner

This should be under Tab 5.

2.1.2.4 *Operations.* **Tab 5.** Under the direction of the Board, the Director will determine the day-to-day operations of CTEA in accordance with Title 33 of Idaho Code.

2.1.2.5 *Evaluation.* **Tab 6.** The Director will receive a yearly evaluation according to his/her performance. Prioritized goals and objective, in conjunction with a valid performance measure, will be agreed upon by the Director and the Board, and retained in the Director's personnel file.

2.1.2.6 Vacancies. During the vacancy of the Director position, the Board will reassume complete oversight. Within thirty (30) days, the Board will appoint an interim Director to oversee the day-to-day operations until the position can be filled as soon as a suitable candidate can be found. **Policy/Procedure.**

2.1.2.7 Stakeholders. Board members, founding family members, faculty, staff, and community stakeholders will be utilized according to their background and experience, which includes fund raising experience, grant writing expertise, etc. **Unnecessary.**

2.1.2.8 Other Administrators. The Chief Tahgee Elementary Academy administrative organization will be designed so that all divisions and departments are part of a single system guided by Board policies, which are implemented through the Director. Other administrators are expected to administer their resources in accordance with federal and state regulations, Board policy, and the rules and procedures outlined by the Director. On the recommendation of the Director, other administrators will be retained by the Board; other administrators will be supervised and evaluated annually by the Director with approval of the Board. **Tab 5.**

2.1.2.9 Faculty and Unclassified Staff. All faculty and unclassified staff will be retained by the Board of Trustees and accountable to the Director. The state funding formula will be used for funding faculty through the regular budgetary process. In order to attract the most highly qualified teachers, additional resources will be sought through grants, volunteers, and fundraising efforts. **Tab 5.**

2.1.2.10 Classified Personnel. All classified staff are retained by the Director of School Programs and accountable to Director. **Tab 5.**

2.1.3 Location & Primary Attendance Area. Chief Tahgee Elementary Academy will open with grades K-6 in August 2013 and be physically located within the boundaries of Blackfoot School District #55 on the Fort Hall Indian Reservation. The Fort Hall Business Council FHBC, by council resolution on January 24th, 2012, has resolved to provide a location for the CTEA within the Blackfoot School District #55 boundaries on one of the sites shown in the appendix (See Appendix BB). The school will have a contiguous attendance area encompassing the areas identical to that of the Pocatello School District, Blackfoot School District, and entirety of the Fort Hall Indian Reservation. These students will be given priority as designated in I.C. §33-5205(3) (j), however, students from other areas may be enrolled (See Appendix AU).

2.1.4 Target Size. ~~A matriculation~~ ~~An enrollment~~ cap of one hundred two (102) will be in effect for the first year (1) of operation, one hundred twenty-four (124) the second year (2), one hundred forty-six (146) in the third year (3) of operations, and one hundred sixty-eight (168) in the fourth (4) year. During the first year of operation, CTEA will cap enrollment in kindergarten at twenty-four (24) students and grades one (1) through six (6) at thirteen (13) students per grade; grades one/two, three/four, and five/six will be combined classes. In the second year of operation, there will be an enrollment cap of **twenty (24)** **This is contradictory. Is it 20 or 24?** students in grades K-2 and thirteen for grades three (3)

through six (6); grades three/four and five/six will remain combined classes. In the third (3) year, grades K-4 will have an enrollment cap of twenty-four (24) students and grades five (5) and six (6) will retain a cap of thirteen students; grades five/six will remain combined. In the fourth (4) year of operation, all grades will have an enrollment cap of twenty-four (24) students per grade. At that time the Board will evaluate and determine if it is viable for CTEA to further expand. **ACE approval will also be required.**

Is there market interest from non-American Indian students? Are enough American Indian students interested to fill the school?

See comments on review sheet.

2.1.5 Facilities. In order to facilitate the instruction of the student body and operate its academic program, the CTEA Board will acquire and maintain facilities in compliance with federal and state regulations, specifically I.C. §§33-5205 (4). The primary site will be located within the identical boundaries of the Blackfoot School District #55. Chief Tahgee Elementary Academy has been provided a location on the Fort Hall Indian Reservation by resolution of the Shoshone-Bannock Tribal Council for the use of a portable campus model. If deemed more appropriate by the Board and the Shoshone-Bannock Tribal Council, another location may be provided. This facilities plan ensures that adequate instructional, office, library, and other space appropriate for its student population will be available.

This section must include at least three, different facility options that are outlined in detail including a description, all associated costs, availability, land, permits, interior and exterior preparation, etc. See review sheet comments.

2.1.5.1 Idaho Code §§39-4130 Compliance. Prior to the start of school, facilities will be inspected to assure compliance with Idaho Code. §§39-4130 and the Americans with Disabilities Act and a report submitted to the ACE and the State Department of Education upon certification.

2.1.6 Potential Civil Liability

2.1.6.1 Indemnification. To the fullest extent permitted by law and in compliance with Idaho Code §§33-5205(4), Chief Tahgee Elementary Academy agrees to indemnify and hold harmless the Shoshone-Bannock Tribes, Idaho State Board of Education, the State Department of Education, its ACE, or any other entity, their officers, trustees, agents, or employees from and against all claims, damages, losses and expenses for wrongful acts. This includes, but is not limited to, attorneys' fees arising out of or resulting from any action of the school, provided that such claims, damage, loss, or expense is attributable to bodily injury, sickness, disease or death, injury, or destruction of tangible property. This includes the loss of use resulting thereof, and is issued in whole or in part by any negligent act or omission of the school, any contractor of the school, or anyone directly or indirectly employed by any who may be liable, regardless of whether or not it is caused in part by a party indemnified hereunder. Such obligation will not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnity, which would otherwise exist as to any party or person described in this paragraph. **Note that you are not required to indemnify state entites.**

2.1.6.2 Damages and Injury. The Shoshone-Bannock Tribes, Idaho State Board of Education, the State Department of Education, or the ACE will not be held liable for damages in an action to recover for bodily injury, personal injury, or property damage arising out of the establishment or operation of CTEA.

2.1.6.3 Liability to the Shoshone-Bannock Tribes. The Shoshone-Bannock Tribes will have no liability for the acts, omissions, debts or other obligations of CTEA, except as may be provided in an agreement or contract between the Shoshone-Bannock Tribes and the school.

2.1.6.4 Liability to Authorizing Chartering Entity. The ACE will have no liability for the acts, omissions, debts or other obligations of CTEA, except as may be provided in an agreement or contract between the district or **Public** Charter School Commission and the school.

2.1.6.5 Liability to the State of Idaho. The Idaho State Board of Education and State Department of Education will have no liability for the acts, omissions, debts or other obligations of CTEA, except as may be provided in an agreement or contract between the Idaho State Board of Education and/or the State Department of Education. **Unnecessary.**

Section 2.2 Potential Effects

2.2.1 Recruiting & Contracts. Chief Tahgee Elementary Academy will actively recruit from its compact and contiguous attendance area, including, the Blackfoot and Pocatello school districts and the entirety of the Fort Hall Indian Reservation. The disposition of the Blackfoot School Board clearly reflects its intent to remain completely separate from CTEA; consequently, the Board of Trustees retains the authority to contract with outside providers for a variety of special services as deemed appropriate. Examples of these may include: psychological evaluation services, occupational services, speech and language therapy, vision, gifted and/or talented, technology, financial, or other administrative.

2.2.2 Enrollment. Currently, Fort Hall Elementary School averages approximately twenty (20) students per grade, the Blackfoot School District enrolls approximately twenty (20) American Indian students per grade throughout the district, and Tyhee Elementary School matriculates approximately twenty-five (25) American Indian students per grade, a total low approximated average of sixty-five (65) American Indian students per grade. Chief Tahgee Elementary Academy projects a minimum enrollment average of thirteen (13) students per grade during the initial year, thirty percent 30% of the American Indian population throughout the attendance area and 5% of the total student population.

2.2.3 Financial Impact. With only a five percent (5%) decrease in overall enrollment, the initial effects on the local districts would be minimal and, in many cases, only reflect the normal difference found between elementary school class sizes. **Although often perceived as a loss of revenue for the district, the reality is that the district does not have to employ the teachers, administrators or support staff; supply instructional materials; provide building and classroom space; and the other related expenses. Unnecessary.**

Section 2.3 - Insurance Coverage

- 2.3.1 Insurance.** As delineated in Idaho Code §§33-5204(4), CTEA will secure insurance for liability and property loss. Liability and property insurance will be similar to the coverage purchased by that of other similar districts.
- 2.3.2 Liability and Property.** Chief Tahgee Elementary Academy will procure and maintain insurance for liability and property loss in amounts required by Idaho Code §§33-5204(4). **33-5204(4) does not stipulate a required amount of insurance.** Provision for liability and property loss will be made for general liability, vehicle liability, professional liability, and trustees and officer liability in the annual budget. Chief Tahgee Elementary Academy will insure all assets, facilities, and equipment against loss and liability of not less than \$1million per person, \$5 million aggregate; in compliance with Idaho State requirements, other such limits may be determined by the Board.
- 2.3.3 Errors and Omissions.** Chief Tahgee Elementary Academy will procure and maintain insurance for errors and omissions with limits not less than \$1 million dollars or deemed in the best interest of the school by the Board of Trustees.
- 2.3.4 Proof of Insurance.** Chief Tahgee Elementary Academy will provide to the ACE a list of all other types and amounts of insurance required upon acquisition, or a minimum of thirty (30) days prior to the opening of the school. **The ACE needs declarations pages, rather than a list.**
- 2.3.5 Cancellation or Non-Renewal.** The ACE will be given a sixty-day notice of cancellation or non-renewal of said insurance. A copy of the proof of insurance will be given to the ACE within thirty (30) days each time it is renewed to insure continuous coverage.

TAB 3: Educational Program and Goals

Section 3.1 – Educated Person in the 21st Century I.C. §§33-5205 (3)(a)

Section 3.2 - How Learning Best Occurs I.C. §§33-5205 (3)(a)

Section 3.3 - Educational Program and Goals I.C. §§33-1612 & §§33-5205 (3)(a)

Section 3.4 - Provisions for Special Education and Programs I.C. §§33-5205 (3)(q)

Section 3.5 - Dual Enrollment I.C. §§33-203(7) & 33-5205 (3)(r)

Section 3.6 - Provisions for Gifted and Talented I.C. §§33-2003

Section 3.7 - Provisions for Limited English Proficiency

Section 3.1 - Definition of Educated Person in the 21st Century

3.1.1 The fundamental characteristic of the 21st Century is ever-accelerating change. Information is multiplying as quickly as it is becoming obsolete; ideas are continually revisited, retested and revised. At the same time the world is becoming increasingly interdependent. To be an educated person and global citizen in the 21st Century, our students need to have a foundation of knowledge and skills that will enable them to acquire and critically analyze, synthesize, evaluate, understand, and communicate knowledge and information. An educated person must also have the ability to function effectively whether in familiar or unfamiliar situations, both in personal and intellectual life, and have the ability to develop skills that respond to changing professional requirements and new challenges in society. He or she must have the ability to take skills previously gained from the study of one set of problems and apply them to another. He or she must be able to locate, understand, critically interpret, evaluate, and use information in an appropriate way and ultimately be able to communicate his or her synthesis and understanding of that information in a clear and accurate manner. Students at CTEA will develop habits that include cultural values and moral reasoning, diligence, intellectual curiosity, cross-cultural awareness, and a respect for family, community, and scholarship in order to become empowered citizens in their community and beyond.

Section 3.2 - How Learning Best Occurs

3.2.1 Heritage language acquisition best occurs through early and sustained immersion in the language. At CTEA students will achieve high academic attainment, become highly proficient in two languages, become grounded in the Shoshone-Bannock culture, and develop sensitivities to other cultures. Heritage language immersion is a proven educational methodology in which the school curriculum is taught through the medium of the target language. Research indicates that students can simultaneously master a rigorous academic curriculum using the target language as a means of delivering content as well as mastering the English language (Met, 2004). At CTEA we believe that students learn in multiple ways but largely by constructing meaning for what they experience. Students do not simply absorb knowledge that is presented to them, rather, they try to make sense of it, often by connecting knowledge being learned to other information or mental organizations already present. Piaget referred to this process as assimilation and accommodation (1970). Research on the learning styles of American Indian students suggests that Native students exhibit learning styles different from mainstream students (Swisher, 1991). Learning styles in general largely reflect a culturally determined set of values. We therefore believe that cultural differences in the socialization process and in learning style preferences develop during children's early learning experiences. **Has CTEA researched language immersion? "Immersion" is not necessarily the same as "bi-lingual."**

3.2.2 Research also suggests that an integrated thematic curriculum centered in culture and the heritage language accompanied by a constructivist approach along with the use kinesthetic methodologies best facilitates learning by American Indian students (Crawford, 1992). Families, especially extended families, **are is** the central segment of many American Indian societies so collaboration between students, teachers and families are an essential element for our students' learning process. Other cultural values that we incorporate into

instructional practices that impact American Indian students' learning styles include discipline, group harmony, and a holistic approach to health and spirituality. These values all speak to the integral aspects of one's life which communicate balance and respect and impact the way in which one approaches a new learning situation. The values of careful listening and careful observation also reflect the cultural value held by many American Indians that it is virtuous to be a good listener and to learn as much as one can from studying the environment, including the many messages that are transmitted by nonverbal behavior. To address American Indian student's differences in learning styles, the curriculum and methods of instruction will largely reflect the cultural values of the Shoshone-Bannock Tribes in order to facilitate the best learning outcomes for the students at Chief Tahgee Elementary Academy. **How will this method of instruction impact non-American Indian students?**

Section 3.3 - Educational Program and Goals.

3.3.1 Description. CTEA is an innovative heritage language immersion school that prioritizes Shoshoni language revitalization and cultural preservation. At the same time, CTEA will provide a challenging and comprehensive education for Kindergarten through 6th grade students, preparing them to be inquisitive and analytic lifelong learners in the 21st Century. CTEA will both reverse the history of low academic achievement and revitalize the Shoshoni language. Research indicates that language is inextricably bound to one's cultural values, and that cultural values are psychological imperatives that affect one's self-awareness, identity, interpersonal relationships, self-confidence, and success in life (Crawford, 1992). Evidence-based research also demonstrates that bilingual education enhances cognitive development (Hakuta, 1985; Pease-Alvarez, 1992; Au, 1998; Au, 1995; Diaz, 1985). Children who learn a second language (in this case, heritage language) beginning in early childhood demonstrate certain cognitive advantages over children who do not. Finally, similar indigenous language revitalization programs, such as the Te Kohanga (Maori) in New Zealand, the Cree Way in Quebec, Canada, the Puana Leo (Hawaiian) in Hawaii, and the Hualapai in Arizona, have resulted in lower dropout rates, a heightened sense of heritage and identity, and improved test scores (Stiles, 1997). Preliminary results in Arizona and New Mexico from Navajo language immersion programs are also demonstrating significantly improved test scores (D. Trubakoff, Principal, Puente de Hozho, personal communication, September 19, 20011; M. Fillerup, Bilingual Director, Flagstaff Unified School District, personal communication, M. Madsen, Principal, Eva B. Stokely, Shiprock, NM, personal communication, September 22, 2011; Marlena Shepard, Curriculum Coordinator, Shiprock Consolidated School District, September 22, 2011; September 22, 2011; R. Tayah, Principal, Tsehootsooi Dine Bi Olta, Ft. Defiance, AZ personal communication, September 23, 2011).

3.3.2 Educational Program. The Shoshoni first educational program of CTEA is a collaborative effort of the learning community that prioritizes teaching the whole child and Shoshoni language fluency where all courses are taught through the lens of Shoshoni culture. Our students will first develop initial literacy in the Shoshoni language and then progress to a complete understanding of Shoshoni and English. Research indicates that the many cognitive processes that underlie the ability to read a language, other than the first language, such as understanding the relationship between the spoken language and the written word, transfer from one language to another (Cloud N., 2000). Shoshoni language

instruction will provide Fort Hall students with academic, affective, linguistic, cultural, and psychological benefits that will prepare them for success in two worlds. Therefore, instruction is in Shoshoni, so that the students learn to read, write, and speak the Shoshoni language as they learn the standard curriculum. Cross-curricular thematic instruction will be heavily influenced by the sciences, and the performing and visual arts. In essence, our immersion program will not only teach students Shoshoni, it will strengthen their understanding of English and all other academic skills as well. **Will students who have no background in the Shoshoni language be able to keep up? How will English be taught during the early, all-Shoshoni years?**

3.3.2.1 CTEA's educational program is designed to create a sound educational experience for each student. This includes knowledge of cultural heritage as well as cultivating each learner's interest in the current problems of our rapidly changing society. CTEA curriculum will be thematically integrated and flexible, focusing on language immersion methodologies (Total Physical Response (TPR), accelerated language acquisition, and other highly kinesthetic teaching methodologies). Culture will be central to the curriculum and deniwape (lifeways of the people) will enhance the positive behavior support system to creating a safe and productive learning environment. Our program also builds on students' prior knowledge and present interests and concerns. Students understand concepts and information better through active exploration of problematic situations that are relevant to their interests, unique culture, and personal lives. Student interests, brought out in discussions and activities, will help guide the choice of content. Content that excites students will motivate application of the pertinent academic skills and knowledge bases targeted by Shoshone-Bannock cultural experts as well as those described in the most current Idaho State Core Curriculum Content Standards.

3.3.2.2 Students will study topics in depth, making connections within and across subjects. An interdisciplinary approach to subject matter extends student achievement by making connections and putting new information within conceptual frameworks. The curriculum will be adaptable to the multiple ways in which people learn. Adaptations will incorporate a variety of learning approaches (investigation and discovery, kinesthetic involvement, individual research, debate, thematic projects, older students teaching younger, review and practice, individual enterprise, or private reflection).

3.3.2.3 The CTEA educational program is based upon the following assumptions and assertions:

3.3.2.3.1 Language is the life-blood of culture.

3.3.2.3.2 The ability to speak the Shoshoni language is essential to the self-identity of a Shoshone-Bannock child and to an understanding of deniwape (lifeways of the people).

3.3.2.3.3 It is just as important for a Shoshone-Bannock child to learn their heritage language as it is for him or her to learn English. However, both languages must be learned and learned well.

- 3.3.2.3.4 An immersion program will help preserve the Shoshoni language and the Shoshone-Bannock culture. A Shoshoni immersion educational program will provide a medium through which Shoshone-Bannock children can communicate and thereby connect with their elders. This linguistic bridge to the past will also form a bridge to the future as subsequent generations of Shoshone-Bannock children learn to speak, read, and write the language of their ancestors.
- 3.3.2.3.5 A language cannot be preserved solely through the school. Language instruction must begin in the home with a home-school outreach program, and language preservation must be a community-wide effort.
- 3.3.2.3.6 The United States Government has a legal responsibility to “preserve, protect and promote the rights and freedom of Native Americans to use, practice, and develop Native American languages...” (Native American Languages Act of 1990).
- 3.3.2.3.7 People who can speak, read, and write more than one language have certain cognitive, academic, social, cultural, and professional advantages over those who cannot.

We need to see a better description of CTEA’s educational program beyond the language immersion element, if in fact its uniqueness will extend to other aspects of the school.

3.3.3 Educational Goals. CTEA’s overarching goal is teaching the whole child in order to construct a learning environment where students, teachers, and parents learn, work, and problem-solve together. The measure of high student achievement will be the development of each child to his or her full potential. Students will have both individual and group educational objectives. The seven correlates that guide our program are: strong instructional leadership, a clear and focused culturally relevant mission, a climate of high expectations for success, a safe and orderly environment, frequent monitoring of student progress, opportunity to learn/student time on task, and positive home, school, and community relations. The following are the primary goals of the Shoshoni language immersion program:

- 3.3.3.1 **BILINGUALISM:** Students will acquire the ability to speak, read, write, and communicate effectively in different social and cultural contexts in their heritage and English languages.
- 3.3.3.2 **ACADEMIC ACHIEVEMENT:** Students will meet the national, tribal, and state standards in all academic subjects.
- 3.3.3.3 **CULTURAL ENRICHMENT:** Students will gain an in-depth understanding of the Shoshone-Bannock culture and its relationship philosophically, historically, socially, and spiritually to the social and academic mainstream.
- 3.3.3.4 The aim of our curriculum is ambitious: to teach all students at the school through the use of the Shoshoni language. At this time, we are developing the orthography for the Shoshoni language, a dictionary, and curriculum and curricular materials for K-6th grades and the home-school outreach program. The school will open in the fall of 2013 with grades K-6, however at that time, only Kindergarten will be full immersion. First and second grades will be 50/50 Shoshoni/English; and third through sixth grades will include language and cultural enrichment classes. Each subsequent year an additional grade level of immersion will be implemented until

instruction through the use of the Shoshoni language is a school-wide practice. This plan appears likely to severely limit CTEA’s ability to attract older students in later years of operation. How will CTEA fill seats that are left empty by attrition? Another CTEA goal is to create positive change in the way K-6 grade education is taught so that our children can achieve their highest learning potential. The following tables demonstrate the percentage of each day students spend learning in Shoshoni and English at each grade level and the targeted benchmark of attaining the language goal:

How will the percentages below be calculated? Percentage of time? Curriculum? Other?

Table 1. Projected Benchmarks for Shoshoni Language Immersion

Grade	Percentage of Day in Shoshoni	Percentage of Day in English	Benchmark Year
K	100%	0%	2013
1	90%	10%	2014
2	80%	20%	2015
3	70%	30%	2016
4	60%	40%	2017
5	50%	50%	2018
6	50%	50%	2019

Table 2. First Year Shoshoni Immersion -- 2013

Grade	Percentage of Day in Shoshoni	Percentage of Day in English
K	100%	0%
1 & 2	50%	50%
3 & 4	Language and cultural enrichment classes only	90%
5 & 6	Language and cultural enrichment classes only	90%

Table 3. Second Year Shoshoni Immersion -- 2014

Grade	Percentage of Day in Shoshoni	Percentage of Day in English
K	100%	0%
1	90%	10%
2	50%	50%
3 & 4	Language and cultural enrichment classes only	90%
5, & 6	Language and cultural enrichment classes only	90%

Table 4. Third Year Shoshoni Immersion – 2015

Grade	Percentage of Day in Shoshoni	Percentage of Day in English
K	100%	0%
1	90%	10%
2	80%	20%
3 & 4	Language and cultural enrichment classes only	90%
5 & 6	Language and cultural enrichment classes only	90%

Table 5. Fourth Year Shoshoni Immersion – 2016

Grade	Percentage of Day in Shoshoni	Percentage of Day in English
K	100%	0%
1	90%	10%
2	80%	20%
3	70%	30%
4, 5 & 6	Language and cultural enrichment classes only	90%

Table 6. Fifth Year Shoshoni Immersion – 2017

Grade	Percentage of Day in Shoshoni	Percentage of Day in English
K	100%	0%
1	90%	10%
2	80%	20%
3	70%	30%
4	60%	40%
5 & 6	Language and cultural enrichment classes only	90%

Table 7. Sixth Year Shoshoni Immersion – 2018

Grade	Percentage of Day in Shoshoni	Percentage of Day in English
K	100%	0%
1	90%	10%
2	80%	20%
3	70%	30%
4	60%	40%
5	50%	50%
6	Language and cultural enrichment classes only	90%

Table 8. Seventh Year Shoshoni Immersion – 2019

Grade	Percentage of Day in Shoshoni	Percentage of Day in English
K	100%	0%
1	90%	10%
2	80%	20%
3	70%	30%
4	60%	40%
5	50%	50%
6	50%	50%

3.3.4 Instructional Materials. Chief Tahgee Elementary Academy will follow the most current Idaho State Standards, Common Core State Standards, and Rules Governing Thoroughness when selecting or developing its curricular materials. Instructional software and textbooks for the school are not yet chosen; they will be selected through collaboration between teachers, parents, Director, Coordinator, and the Board of Trustees. Instructional software and textbook packages will not be the sole source of instruction; their purpose will be to supplement and enrich, not necessarily to drive instruction. **Who will develop curricular**

materials in Shoshoni? How long will this process take, and how much will it cost in labor, printing/manufacturing, etc?

3.3.5 Educational Thoroughness Standards. Chief Tahgee Elementary Academy will fulfill the thoroughness standards identified in Idaho Code. Idaho Code §§33-1612 defines a thorough system of public schools by the following standards:

3.3.5.1 Standard 1. A safe environment conducive to learning is provided.

3.3.5.1.1 Goal: Maintain a positive and safe teaching and learning climate. Every student has the right to attend a school that encourages positive and productive learning, provides a safe and orderly environment, and promotes student respect for themselves and others.

3.3.5.1.2 Objectives: Chief Tahgee Elementary Academy will:

3.3.5.1.2.1 Develop policy and procedure for physical safety. These guidelines will include, but not be limited to, the procedures for fire drills, reporting unsafe equipment, methods for checking students in and out of school, notification of parents' rights, and staff monitoring responsibilities.

3.3.5.1.2.2 Provide a facility and adopt policies that meet all required city, state, and federal health, accessibility, safety, fire, and building codes for public schools.

3.3.5.1.2.3 Establish, publish, and enforce policies that define acceptable and unacceptable behavior, including zero tolerance for weapons, violence, gangs, and use or sale of alcohol and drugs.

3.3.5.1.2.4 Create an environment that encourages parents and other adults to visit the school and participate in the school's activities.

3.3.5.2 Standard 2. Educators are empowered to maintain classroom discipline.

3.3.5.2.1 Goal: Create a positive teaching and learning environment with an emphasis on high expectations of behavior and performance.

3.3.5.2.2 Objectives: Chief Tahgee Elementary Academy will:

3.3.5.2.2.1 Adapt the policies into a student/parent handbook providing a code of conduct including clear expectations and consequences for unacceptable behavior.

3.3.5.2.2.2 Provide a school-wide process for teachers to handle minor and major infractions in the classroom setting.

3.3.5.2.2.3 Teach appropriate behaviors and foster responsible decision-making skills.

3.3.5.2.2.4 Establish and maintain consistent rules aligned throughout the school.

3.3.5.3 Standard 3. The basic culturally appropriate values of the Shoshone-Bannock Tribes for students including honesty, self-discipline, unselfishness, respect for authority, and the central importance of work are emphasized. **This is not the SBOE standard.**

3.3.5.3.1 Goal: Offer opportunities for students to develop and express exemplary character traits in concert with the overall educational program.

3.3.5.3.2 Objectives: Chief Tahgee Elementary Academy will:

3.3.5.3.2.1 Utilize the general philosophy of the Shoshone-Bannock Tribes' cultural program and standards to instill important values.

3.3.5.3.2.2 Emphasize the importance of adults modeling culturally important values at school.

3.3.5.3.2.3 Help students build personal bonds and carry out responsibilities to one another and to the faculty and staff.

3.3.5.3.2.4 Develop a sense of community and service within the school, and between the school and the larger community. Community service instills a sense of individual, social, and civic responsibility and enables the student to use newly found knowledge to solve community problems.

3.3.5.4 Standard 4. The skills necessary to communicate effectively are taught.

3.3.5.4.1 Goal: Teach students a range of effective communication skills required for future success.

3.3.5.4.2 Objectives: Chief Tahgee Elementary Academy will:

3.3.5.4.2.1 Emphasize meaningful language experience in the language arts, enhanced by dramatization and the heritage language along with accelerated language learning methods, e.g., Total Physical Response (TPR).

3.3.5.4.2.2 Provide access to computers to teach students basic computer skills and appropriate communication through technology (via e-mail and the Internet).

3.3.5.4.2.3 Provide instruction in the heritage language. In addition, knowledge of a second language will boost English proficiency, improve memory and self-discipline, and enhance verbal and problem-solving skills.

3.3.5.5 Standard 5. A basic curriculum necessary to enable students to enter academic or professional-technical post-secondary educational programs is provided.

3.3.5.5.1 *Goal:* Develop an educated citizenry for the 21st century through a dynamic, interactive academic program where student capabilities rather than textbooks drive pacing. Students must be well grounded in the basics such as reading, writing, mathematics, science, and social studies.

3.3.5.5.2 *Objectives:* Chief Tahgee Elementary Academy will:

3.3.5.5.2.1 Use the Idaho State Standards and Common Core State Standards as a starting point to be enhanced by unifying themes and other creative methods.

3.3.5.5.2.2 Use a variety of methods to ensure student learning, including but not limited to: Spalding (phonics); CORE (reading/ spelling research); 6-Traits (writing); the Shurley method (English); teaching of mathematics through direct instruction, mathematics manipulative and relevant activities; computation and mathematics for homework; hands-on experimentation for science learning; and emphasis on community service in social studies.

3.3.5.5.2.3 Develop a personalized learning goal for each student. **How does CTEA define “personalized learning goal?”** Together, the student, parents and educator will consider the student’s strengths and weaknesses. Faster students will continuously be presented with new challenges. Learners who need more time will benefit from extra help, multiple methods and different environments.

3.3.5.5.2.4 Emphasize Fine and Language Arts and the Scientific Method.

3.3.5.5.2.5 Health knowledge and physical activity are very important for students. A comprehensive health curriculum will be taught, as required by the state.

3.3.5.5.2.6 Physical activity during the school day will be difficult in a temporary setting, but we are planning for ample playground space. Additionally, we will be seeking community partnerships (e.g., Fort Hall Recreation Center) for student access during inclement weather.

3.3.5.6 Standard 6. The skills necessary for the students to enter the workforce are taught.

3.3.5.6.1 *Goal:* Provide students with basic skills that prepare them for future employment using learning tools such as computers, scientific equipment, and local and national resources. These tools assist students in learning how to learn so that they become lifelong learners and are prepared to enter the workforce with a solid foundation of knowledge and skills.

3.3.5.6.2 *Objectives:* Chief Tahgee Elementary Academy will:

- 3.3.5.6.2.1 Provide a strong foundation in reading, writing, problem solving, math concepts, science, social studies, and computational skills.
- 3.3.5.6.2.2 Provide a technology-rich environment, encouraging the effective use of technology as a tool in the workplace of the 21st Century.
- 3.3.5.6.2.3 Enable students to develop the following intellectual habits important in the work place: adapting to new situations and responding effectively to new information; solving problems; locating and evaluating information from a variety of sources; making flexible connection among various disciplines of thought; thinking logically and making informed judgments.
- 3.3.5.6.2.4 Enable students to develop the following personal habits important in the work place: accepting responsibility for personal decisions and actions; honesty, courage, and integrity; a healthy lifestyle; empathy, courtesy, and respect for differences among people; self-confidence; concentration and perseverance; organizational skills; study skills; responsible time management; assuming a fair share of the work load; and working cooperatively with others to reach group consensus.

3.3.5.7 *Standard 7.* The students are introduced to current technology.

3.3.5.7.1 *Goal:* Provide students with a technology environment using tools such as computers, scientific equipment, and networks linked to local and nationwide resources.

3.3.5.7.2 *Objectives:* Chief Tahgee Elementary Academy will:

- 3.3.5.7.2.1 Use interactive technology as tools in an integrated educational program, and in some courses, it will be used as the primary instructional delivery system.
- 3.3.5.7.2.2 All students leaving CTEA will be proficient in using both a word processing and spreadsheet package.
- 3.3.5.7.2.3 Use computers as tools for such activities as accessing research information, authoring, computation, record keeping and data storage, time and scheduling software (e.g., Outlook Express), and communication (email).
- 3.3.5.7.2.4 Students will be required to complete a technology assessment portfolio documenting their proficiency.

3.3.5.8 *Standard 8.* The importance of students acquiring the skills to enable them to be responsible citizens of their homes, schools, and communities is emphasized.

3.3.5.8.1 *Goal:* Provide students with the skills and understanding necessary to become responsible citizens in their respective jobs and communities of the 21st century.

3.3.5.8.2 *Objectives:* Chief Tahgee Elementary Academy will:

3.3.5.8.2.1 Provide a comprehensive program of community service by the third year of operation that reflects responsible citizenship in a democratic society and an interdependent world.

3.3.5.8.2.2 Enable students to develop the following habits of responsible citizens: accepting responsibility for personal decisions and actions; honesty, courage and integrity; empathy, courtesy and respect for differences among people; assuming a fair share of the workload; and working cooperatively with others to reach group consensus.

3.3.5.8.2.3 Enable students to understand and apply concepts and principles embedded in each of the social studies: history, geography, political science, and economics.

3.3.5.9 Achievement. Chief Tahgee Elementary Academy will achieve the Thoroughness Standards through well trained, competent, highly qualified faculty members and staff. Faculty training will focus on individual improvements, both personal and instructional; regularly scheduled staff meetings and in-service days will be designated for this purpose. The school's size will facilitate the necessary enculturation, school/community participatory behaviors, and a safe environment. A strong emphasis on understanding and developing self-efficacy and motivation will guide the decision-making process and relationships throughout the school.

3.3.6 Data Collection and Measurement. In all program areas and at all levels, Chief Tahgee Elementary Academy will measure student progress toward achieving learner goals and program area performance standards including: the content and data, the development of critical thinking and reasoning, and student attitude. Chief Tahgee Elementary Academy expectations are that student attendance, engagement, and rates of achievement will accelerate beyond the levels they were attaining before attending CTEA and will meet or exceed proficiency levels as defined by the No Child Left Behind Act (NCLB) and the State Department of Education. In order to demonstrate these achievements, student performance will be measured using a variety of assessments, including state and federally mandated standardized tests, curriculum-based assessments, content standard assessments, and rubrics developed for determination of progress in technological literacy, project and experiment composition, engagement, and motivation.

3.3.7 Curriculum Development and Approval. With the ultimate approval of the Board of Trustees, curriculum development will be an ongoing process led by the Director and the Curriculum, Instruction, and Assessment Coordinator. **Can your budget support both of these positions? Will both positions be full time?** The curriculum will be implemented and evaluated through observations of the Coordinator, teachers, stakeholders, parents and students. Curriculum will also be evaluated through all assessments required by the No

Child Left Behind Act and the State Department of Education, curriculum-based assessment, content-based assessment, and rubrics.

- 3.3.8 *Software and Textbooks.*** Chief Tahgee Elementary Academy will follow the Idaho State Standards, the Common Core State Standards, and Rules Governing Thoroughness when selecting its curricula. Instructional software and textbooks for the school are not yet chosen; they will be selected through collaboration between the teachers, parents, Director, Coordinator, and Board of Trustees. Instructional software and textbooks packages will not be the sole source of instruction; their purpose will be to supplement and enrich, not necessarily to drive instruction. **What will you use to drive instruction?**
- 3.3.9 *Supplemental Educational Programs and Services.*** Provision of supplemental educational programs and services such as HIV/AIDS education, family life education, occupational education, guidance and counseling services, summer school programs, parent education programs, social work, and psychological services will be provided to students who require them from the first day of school. **How will these students be identified?** The Board of Trustees, Director, faculty association, and parent association will work together to determine the need for, and estimated cost and value of, these programs. Outside contracts to meet specific identified needs will be negotiated by the Director on a need basis. **How will you plan for these contracted costs in your budget?**
- 3.3.10 *Academic Freedom and Controversial Issues.*** Chief Tahgee Elementary Academy **Here and elsewhere, please use abbreviations consistently.** will offer an educational program appropriate to the level of student understanding which: 1) allows students to study and discuss controversial issues; 2) provides opportunities to examine evidence, facts, and differing viewpoints; and 3) teaches the importance of fact, the value of judgment, and the respect of conflicting opinions.

Section 3.4 - Provisions for Special Education and Programs

- 3.4.1 *Compliance with Federal and State Law.*** The Board of Trustees acknowledges the right of every student to receive a quality education; consequently, CTEA will comply with all federal and state laws associated with special education, including but not limited to, Section 504 of the Rehabilitation Act of 1973 (Section 504), the Individuals with Disabilities Act (IDEA) of 1990, Title II of the Americans with Disabilities Act (ADA) of 1990, Idaho Code §§33-2001 through 2002, §§33-2004 through 2005, §§33-2010, and 08.02.03.109.
- 3.4.2 *Idaho Special Education Manual.*** Chief Tahgee Elementary Academy will adopt and comply with the most up-to-date version Idaho Special Education Manual. The Idaho Special Education Manual will be used for identifying, evaluating, programming, developing individualized education plans, planning services, informing the discipline policy, budgeting, and providing transportation for special needs students, as necessary.
- 3.4.3 *Differentiated Instruction.*** All special education, Section 504, IDEA, ADA, and Title I of the Improving America's Schools Act (IASA) of 1994 (Title I) classified students have special needs; consequently, these students will be provided educational experiences that strive to meet those needs in the regular classroom as well as in special classes, seminars or

workshops. ~~The charter environment allows for these areas to be pursued beyond the scope of the regular curriculum, regardless of the type of special needs. Chief Tahgee Elementary Academy will accomplish this through, but not limited to, clustering, competitions, consultations, curriculum compacting, special topic classes, independent study, interest-based workshops, remediation, tutoring and pullout classes. This section is redundant and not necessary.~~

- 3.4.4 Policies and Procedures.** The Board of Trustees will adopt and maintain appropriate special education policies consistent with state and federal laws and requires legally compliant written procedures, rules, and regulations from the Director. All students at CTEA will receive appropriate services as outlined in the following provisions.
- 3.4.5 Resources.** The Board of Trustees will provide the necessary resources to ensure that students with disabilities receive adequate personnel, physical facilities, funding and contractual arrangements as required in Section 504, IDEA, ADA, and outlined in the students' Individualized Education Program (IEP).
- 3.4.6 Enrollment.** Chief Tahgee Elementary Academy will not deny enrollment to a student with a disability solely due to that student's need for special education or related aids and services. The Board ensures that all appropriate services will be provided for students that have met minimum state and federally established eligibility criterion for such services. Chief Tahgee Elementary Academy will be prepared to provide special education services the first day of school.
- 3.4.7 Information Management.** Chief Tahgee Elementary Academy will use the forms for special education as outlined in the Idaho Special Education Manual.
- 3.4.8 Multidisciplinary Teams.** The Director or designee will form multidisciplinary teams to consider a student's eligibility for special education. If a team determines the need for an evaluation by personnel, such as a school psychologist, speech therapist, or occupational therapist, not currently employed by the school, such evaluations will be contracted.
- 3.4.9 Individualized Education Program.** In compliance with federal and state law, an Individualized Education Program (IEP) multidisciplinary team will be established as set forth by IDEA and comprised of the student's general education teacher, a special education teacher, a district representative, parents, the student when appropriate, and, if deemed of value, other knowledgeable persons. The team is responsible for developing the IEP, determining placement, and reviewing and revising the student's IEP and placement at least annually. A certificated teacher, or an educational assistant under his/her guidance, will provide services in an inclusion or a pullout model depending on the degree of intervention necessary to meet the student's needs. The appropriate personnel will consult with the general education staff to utilize effective classroom interventions, adaptations, and modifications.
- 3.4.9.1** If an IEP team determines that the student's academic needs cannot be met on site, CTEA will contract with another agency to provide those services; however, the school will continue to monitor student progress.

3.4.10 Screening. The Director or designee will conduct a yearly Child Find activity that includes a three-step process leading to the determination of whether or not a student requires special education services. As outlined in the Idaho Special Education Manual, Chief Tahgee Elementary Academy will:

- 3.4.10.1** Establish and implement an ongoing Child Find system. An individual will be appointed to coordinate the development, revision, implementation, and documentation of the Child Find system.
- 3.4.10.2** Ensure that staff and the school's constituents are informed of the availability of special education services.
- 3.4.10.3** Implement a screening process that will include any and all referrals by parents and/or other adults including teachers, counselors, or other school professionals.

3.4.11 Least Restrictive Environments. In compliance with the Idaho Special Education Manual and as identified on each student's IEP, CTEA will provide special education and related services to eligible students in the Least Restrictive Environment (LRE). Depending on the needs of individual students, the LRE will be CTEA, another local school district site, or other alternative site. Multidisciplinary IEP team LRE decisions will be made individually for each student. The following criteria will be considered in the decision-making process:

- 3.4.11.1** *Based on student's IEP:* The student's IEP is developed prior to the determination of the location of services and settings. The services and settings needed by each student with a disability must be based on the student's IEP and unique needs that result from his or her disability, not on the student's category of disability.
- 3.4.11.2** *Age Appropriate Peers:* Students with disabilities will be educated with age-appropriate peers to the maximum extent appropriate. A student with a disability is not removed from age-appropriate general education environments solely because of needed accommodations and/or adaptations in the general education curriculum.
- 3.4.11.3** *School of Attendance:* A student with a disability will be educated in the school as close as possible to the student's home and unless the IEP requires some other arrangement, the student is educated in the school he or she would attend if not disabled.
- 3.4.11.4** *Harmful Effects:* Consideration will be given to any potential current or long term harmful effect on the student or on the quality of services the student needs.
- 3.4.11.5** *Accommodations and/or Adaptations:* A student with a disability is not removed from general education settings solely because of needed accommodations and/or adaptations in the general education curriculum.
- 3.4.11.6** *Participation in Nonacademic and Extracurricular Services and Activities:* A student with a disability will be allowed to participate with students without disabilities in nonacademic and extracurricular services and activities to the maximum extent appropriate. These services and activities may include meals, recess, field trips, counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the school, referrals to community agencies, career development, and

assistance in making outside employment available. The IEP team determines the supplementary aids and services that are appropriate and necessary for the student to participate in nonacademic settings and extracurricular services and activities.

3.4.12 Discipline. Multidisciplinary teams (are these teams the same as the multidisciplinary teams stated above or are they different teams?) will be formed to address disciplinary problems by special education students. Chief Tahgee Elementary Academy employees will follow the Idaho Special Education Manual (as currently defined in Chapter 7, Section 12, and titled “Student Discipline”) and the district policy manual to address these issues. (See Appendix G)

3.4.12.1 Discipline Policy. The discipline policy as set forth in the Idaho Special Education Manual and outlined in Tab 7 of this petition will be used by the IEP team as a guideline for establishing appropriate disciplinary procedures when misconduct of a student with a disability was:

- 3.4.12.1** a demonstration of the disability, that is an inability to understand impact and consequences or an inability to control behavior;
- 3.4.12.2** the result of an inappropriate placement, and/or
- 3.4.12.3** the lack of provision of services consistent with the IEP and placement.

3.4.13 Contracts. Chief Tahgee Elementary Academy ~~will~~ may contract with psychological, speech, language, occupational, and/or physical therapy providers for the provision of special education related services; services may be provided by a paraprofessional under the direct supervision of a licensed therapist. In the event that the IEP team determines that the student’s academic needs cannot be met on site, the multidisciplinary team assigned to the student will determine the least restrictive environment complying with IDEA and advise the Board. redundant

3.4.14 Highly Qualified. The Director will ensure that special education and special services personnel meet highly qualified standards as delineated in Tab 6 of this document.

3.4.15 Professional Development. All special education, special services, and general education personnel will receive ongoing training in order to meet the needs of students with disabilities who are enrolled in the school. The Director or designee will provide [to whom?] a comprehensive professional development plan regarding special education, Section 504, IDEA, and ADA.

3.4.16 Transportation. Transportation for special needs students will be provided as dictated by the nature of the disability, which would include specialized transportation such as door-to-door. Unless the student is capable of getting to school in the same manner as other students, the student(s) will be entitled to this transportation even if the charter school does not provide transportation to other students or is resides (does not make sense) further than (15) miles by road of the school’s physical location.

3.4.17 Special Programs and Interventions. Those students not reading at grade level or computing grade level mathematics will be identified and receive a variety of services including but not limited to special education, Title I, Response to Intervention, tutoring, and/or they may attend school during an extended session. In order to comply with state and federal regulations and meet student needs, CTEA will administer assessment to admit students into all special programs. Students deemed at risk will be screened and monitored using the Response to Intervention model and the appropriate interventions will be implemented as needed.

3.4.18 Parent Participation. The Board of Trustees understands the importance of parent participation in their child's education. Consequently, CTEA will make every effort to facilitate open lines of communication with all parents/guardians/acting custodians. In accordance with Board policy and state and federal law, parents/guardians/acting custodians will receive written notice regarding identification, evaluation, and/or placement of their child for special education or other special program. Parents/guardians will be involved in all placement decisions regarding their child and have the right to request due process hearings at any time.

3.4.19 Confidentiality. Chief Tahgee Elementary Academy will protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages, including all type of records covered under the definition of "education records" in 34 CFR Part 99 (the regulations implementing the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g (FERPA)).

3.4.19.1 Upon enrollment of a student, Chief Tahgee Elementary Academy will give notice that is adequate to fully inform parents about confidentiality of personally identifiable information.

3.4.19.2 All persons collecting or using personally identifiable information will receive training or instruction regarding the Idaho State policies and procedures regarding confidentiality under Part B of the IDEA and the Family Educational Rights and Privacy Act (FERPA).

3.4.19.3 Chief Tahgee Elementary Academy will maintain, for public inspection, a current listing of the names and positions of those employees within the agency who may have access to personally identifiable information.

3.4.19.4 Chief Tahgee Elementary Academy will keep a record of parties obtaining access to education records collected, maintained, or used under Part B of the IDEA (except access by parents and authorized employees of the participating agency), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

3.4.20 Supplementary Aids, Services, and Other IEP Considerations. Chief Tahgee Elementary Academy will provide all necessary supplemental aids, services, and other IEP considerations as deemed appropriate by the IEP Team whether or not these services are currently in place. Supplementary aids and services may include general education curriculum accommodations and/or adaptations, support from school staff, positive behavioral intervention plans, extended school year services, transportation, transition services, assistive technology services, adaptive technologies, and travel.

3.4.21 Research Based Curriculum and Interventions. The IEP Team will identify students' challenges early through standardized testing, curriculum-based assessment, criterion-referenced assessments, qualitative teacher observation, and ongoing data collection and analysis of students' classroom performance. The IEP Team will develop procedures to implement student interventions and provide for appropriate individualized instruction. In implementing the intervention process, the school will: 1) apply scientific, research-based curriculum and interventions, 2) measure the student's response to intervention, and 3) use the data to inform further intervention and instruction. **Move to policy.**

Section 3.5 - Dual Enrollment

3.5.1 Dual Enrollment Students in Other Districts. As delineated in Idaho Code §§33-203 and §§33-5205 (3)(r), CTEA students will have the opportunity to participate in dual enrollment with other public schools and will comply with the local school districts' current dual enrollment policies and fee schedules, or as may be amended. Chief Tahgee Elementary Academy will make all attempts to negotiate for the best service and contractual agreement. **Dual enrollment arrangements are made between parents and the schools, not directly between the schools.**

3.5.2 Dual Enrollment Students from Other Districts. Students from other public, charter, and nonpublic schools will have the opportunity to participate in dual enrollment at CTEA following the guidelines delineated in Idaho Code §§33-203, and will comply with the CTEA current dual enrollment policies and fee schedules, or as may be amended. Chief Tahgee Elementary Academy will make all attempts to negotiate for the best service and contractual agreement. Students who are dually enrolled but attend another school or are home schooled for more than four (4) hours a day will not be counted toward CTEA's initial enrollment cap. **This is not recommended, as it may result in decreased funding for CTEA due to students who fill seats but do not attend CTEA full time.**

3.5.3 Funding. State funding of a dually enrolled student will be limited to the extent of the student's participation in the public school programs. Chief Tahgee Elementary Academy will negotiate the terms of how ADA will be divided with the local school district to the greatest extent possible, realizing that some districts already have dual enrollment fee schedules. If a fee schedule has already been established by the local district and a student from the attendance area dual enrolls at CTEA, the same fee schedule as established by the school district will be used. **Policy.**

3.5.4 Dissemination. Information regarding dual enrollment, including fee schedules, will be communicated to parents and community through a brochure, on the school website, upon enrollment, during yearly orientation, and will be available at the CTEA office upon request. **Handbook.**

3.5.5 Parent Participation. The Board of Trustees understands the importance of parent participation in their child's education. Consequently, Chief Tahgee Elementary Academy will make every effort to facilitate opens lines of communication with all parents/guardians/acting custodians. In accordance with Board policy and state and federal law, parents/guardians/acting custodians will receive written notice regarding placement of their child in a dual enrollment program. Parents/guardians will be involved in all

placement decisions regarding their child at any time. This section is not necessary. The petition need only address parent participation in one place; it is excessive to address it with regard to a variety of specific instances.

Section 3.6 - Provisions for Gifted and Talented

- 3.6.1 Differentiated Instruction.** All gifted and talented students have special needs; consequently, these students will be provided educational experiences that strive to meet those needs in the regular classroom as well as in special classes, seminars or workshops. The charter environment allows for areas to be pursued beyond the scope of the regular curriculum, regardless of the student's areas of special talent. This will be accomplished through but not limited to clustering, competitions, consultations, curriculum compacting, special topic classes, independent study, interest-based workshops, and pullout classes.
- 3.6.2 Policies and Procedures.** Chief Tahgee Elementary Academy will implement policies and procedures for the identification and instruction of the gifted and talented according to Idaho Code §§33-2003 (See Appendix H).
- 3.6.3 Definition.** Gifted and talented children are defined those students who are identified as possessing demonstrated or potential abilities that give evidence of high performing capabilities in intellectual, creative, specific academic or leadership areas, or ability in the performing or visual arts and who require services or activities not ordinarily provided by the school in order to fully develop such capabilities.
- 3.6.4 Identification.** Chief Tahgee Elementary Academy will identify gifted and talented students using a variety of formal assessments (ISAT, Aprenda, Standardized Intelligence Test, or other equivalent assessment), informal assessments (teacher rating/observations, student records, including GPA, projects or work sample, parent questionnaire, student questionnaire, etc), and other information indicative of giftedness and/or talent (subject experts, personal references, etc.) to ensure all opportunities to be considered for the program have been met. The screening criteria will be age/grade appropriate, nondiscriminatory, and comply with the procedures set forth in all state and federal legislation. This will include a plan for continuity of services throughout grade levels and a plan for exits and removals from the program and requests for review.
- 3.6.5 Strategic Plan.** Here and throughout the petition, most requirements that are described at length elsewhere need not be reiterated in the petition. With a few exceptions, it is preferable to incorporate that information by reference only. Chief Tahgee Elementary Academy will develop program options to include, but not limited to pullout classes, competitions, independent study, curriculum compacting, mentorships, etc. The Director or designee will develop and maintain a written educational strategic plan for its gifted and talented program. After initial submission to the Board of Trustees, ACE, and State Department of Education, plans will be reviewed annually and submitted to the Board of Trustees, the ACE, and State Department of Education every three (3) years. The Gifted and Talented Program plan will include the following:

- 3.6.5.1 Philosophy statement
- 3.6.5.2 Definition of giftedness

- 3.6.5.3 Program goals
- 3.6.5.4 Program options
- 3.6.5.5 Identification procedures
- 3.6.5.6 Benchmarks and program evaluation
- 3.6.5.7 Implementation and evaluation timelines

3.6.6 Goals. Chief Tahgee Elementary Academy goals for the Gifted and Talented Pprogram include, but are not limited to:

3.6.6.1 providing a learning environment that will encourage the capable student to develop to his/her individual potential while interacting with intellectual peers;

3.6.6.2 establishing a climate that values intellectual ability, enhances self-concept and encourages self-direction and self-evaluation;

3.6.6.3 encouraging the development of, and provide opportunities for using, higher level thinking skills and acceleration within the regular curriculum.

3.6.7 Oversight & Professional Development. The GT Program Director will oversee all aspects of the GT program and develop a comprehensive professional development plan regarding gifted and talented education. Gifted and talented, as well as general education, personnel will receive ongoing training in order to meet the needs of gifted and talented students who are enrolled in the school.

3.6.8 Parent Participation. The Board of Trustees understands the importance of parent participation in their child's education. Consequently, Chief Tahgee Elementary Academy will make every effort to facilitate opens lines of communication with all parents/guardians/acting custodians. In accordance with Board policy and state and federal law, parents/guardians/acting custodians will receive written notice regarding identification, evaluation, and/or placement of their child in the Gifted and Talented Program. Parents/guardians will be involved in all placement decisions regarding their child and have the right to request due process hearings at any time.

3.6.9 Community Participation. The Board of Trustees understands the importance of community participation the education process. Consequently, CTEA will make every effort to coordinate community resources for mentoring, including but not limited to elders fluent in the Shoshoni language.

3.6.10 Advanced Learning Plans & Records. Advanced Learning Plans (ALP) will record programming options and strategies utilized with individual students and will be part of the student's record. The ALP will be considered in educational planning and decision making concerning subsequent programming for that student and be used in the articulation process. Gifted student records will describe the body of evidence that identifies strengths, interests and needs, and the ongoing programming and student achievement results. The records will include but not be limited to:

3.6.10.1 An accountability record providing evidence of monitoring gifted interventions and student progress through the grades.

- 3.6.10.2 A result of the student profile created during the identification process and the implementation of programming services matched to the child's strengths and interests.
- 3.6.10.3 A dynamic planning guide for making instructional decisions about materials, programming options and assessments for gifted and talented students based upon strengths, interests, learning characteristics and social-emotional needs.
- 3.6.10.4 A document across grades that includes indication of at least one identified strength area, goal for instruction, interventions/programming services, results of achievement and goal activities and the responsible participants (personnel, parent, student).
- 3.6.10.5 A tool for monitoring students with outstanding potential.
- 3.6.10.6 Data for the ALP will be collected from independent work from home, regular classroom work, classroom, school, and state assessments, and/or other identified gifted programming options. It will be a part of regular cumulative folder record keeping systems.
- 3.6.10.7 A document reviewing the progress and needs of the individual students will be developed with parents and the gifted student and revised at least once a year.
- 3.6.10.8 The ALP will be attached to the student's report card and reviewed at the regular parent-teacher conference in order to provide for a systemic routine for ongoing monitoring.
- 3.6.10.9 All ALP information will be transferred during regular registration procedures established by CTEA. It will include policies, procedures, and questions about gifted identification and/or previous gifted services.

Section 3.7 - Provisions for Limited English Proficiency

- 3.7.1 **Differentiated Instruction.** All English Language Learners (ELL) have special needs; consequently, these students will be provided educational experiences that strive to meet those needs in the regular classroom as well as in special classes, seminars or workshops. The charter environment allows for areas to be pursued beyond the scope of the regular curriculum, regardless of the student's area of special needs. In accordance with the Board's philosophy to provide a quality educational program for all students, CTEA will provide an appropriate planned instructional program for identified students whose dominant language is not English (See Appendix I).
- 3.7.2 **Purpose.** The purpose of the program is to increase the English language proficiency of eligible students so that they can attain the academic standards adopted by the Board and achieve academic success. Students who have Limited English Proficiency (LEP) will be identified, assessed and provided with appropriate services.
- 3.7.3 **Definition.** Chief Tahgee Elementary Academy will apply the federal definition of Limited English Proficiency as defined in Title III and IX of the ESEA.
- 3.7.4 **Participation.** Chief Tahgee Elementary Academy will provide a program for each student whose dominant language is not English for the purpose of facilitating the student's achievement of English proficiency and the academic standards. The program will include English as a Second Language instruction. The program will meet the three-pronged test of program compliance: (1) sound research-based education theory; (2) sufficient resources

and staffed by appropriate prepared personnel; (3) periodic program evaluation. The Board will include provisions for the LEP programs in its Strategic Plan.

- 3.7.5 Oversight.** The Director or designee will implement and supervise an LEP Program that meets the legal requirements for LEP program compliance.
- 3.7.6 Screening.** Following the Idaho LEP Program Manual guidelines CTEA has establish the following procedures for identification of students whose dominant language is not English.

3.7.6.1 Chief Tahgee Elementary Academy registration cards for every new student will include at least the question: What is the primary language spoken in the home?

3.7.6.2 If a response is any language other than English, a Home Language Survey (HLS) will be sent home to the parents (See Attachment A).

Excessive information; incorporate most by reference. Again, this is good information but goes beyond what needs to be included in the petition. Much of this text may be appropriate for inclusion in CTEA's policy/procedures manual.

3.7.6.3 If it is unclear from the HLS, a further survey, parent questionnaire, or parent conference will be initiated, so that CTEA has a clear indication on whether there is another language other than English that is influencing the child's English language proficiency.

3.7.6.4 If there is no other language present that is influencing the child's English, then they will not be given the ELL Placement test, or the Idaho English Language Assessment (IELA).

3.7.6.5 In compliance with the Office of Civil Rights (OCR) regulation, if it is clear that a native language, or dialect, is in fact influencing the English of the child and that a student may be Limited English Proficient (LEP), he/she will be tested with an ELL Placement Test within 30 days of registration or within 2 weeks (15 days) of entry into the school (if during the year).

3.7.6.6 If the student tests less than proficient on the ELL Placement test, then a letter will be sent home to the parents indicating that their child was identified as needing specific English language development services. Parents/Guardians/Acting Custodians will be given the opportunity to waive any Title III funded language development services, if desired. Students whose parents waive services will be coded as ELL-W (English language learner waived).

3.7.6.7 If a student tests at the advanced level on all domains tested with the ELL Placement test, then that student most likely does not need services. However, as any determination for special programs or services should use multiple measures, as sometimes the test scores do not seem to fit with the behaviors of the student, teacher recommendations and other measures may be employed.

3.7.6.8 If the parent/guardian/acting custodian does not waive any Title III funded language development services for their child, then the student will be placed in a

program of “high quality language instruction, based on scientifically based research” (Section 3115(c)(1));

3.7.6.9 Children who qualify as LEP and who are placed in a program will be counted for state and federal funding purposes.

3.7.6.10 Once a student tests proficient on the English language proficiency test, they will be exited from the LEP program and monitored for 2 years. Students on monitoring status will be coded LEPX (now in effect: either LEPX1 or LEPX2) on the ISAT but will not be counted for state and federal funding purposes.

3.7.6.11 Those students whose parents waive Title III funded language development services will still be considered as “LEP” for state and federal funding purposes and ISAT coding. They will be served according to their needs and annually tested, according to the Office of Civil Rights.

3.7.6.11.1 All parents/guardians/acting custodians will be informed that they have the right to waive services provided by Title III funds. The CTEA Director or designee will discuss the issue directly with the parents, so they understand the importance of the services the school provides and that students with limited English proficiency are still required to receive assistance under the Office of Civil Rights (OCR). However, parents/guardians/acting custodians may not waive the designation of LEP for their child, nor may they waive any programs if funded in any part by State LEP funding. If a parent does waive the Title III services, CTEA will document the conversation and keep the letter on file. Even if the parent waives services, CTEA will still serve that student in a non Title III funded program and make sure he/she is successful in school, per OCR requirements for LEP students.

3.7.6.11.2 In addition, CTEA will assess the student with the annual Idaho English Language Assessment (IELA) even if the parent has waived Title III services. The waived student will be coded as ELL-W in the student information system. This code will be used when the student tests on the IELA.

3.7.6.11.3 If a parent does opt to waive services, a signed letter and/or notes from the conversation will be placed in the student’s file

3.7.7 Program Model. Chief Tahgee Elementary Academy will employ the following program models in address the needs of all LEP students: **This statement does not make sense.**

3.7.7.1 in the classroom in a “push-in” setting (teachers assist English language learners with differentiated instruction within the classroom so that the English learners are able to access the curriculum presented);

3.7.7.2 in a pull-out setting (students would be pulled out of the general classroom to receive intensive English instruction);

3.7.7.3 in a bilingual program (a bilingual program is a generic term for a classroom that provides instruction in 2 different languages. Mere translation into another language is not considered a bilingual program, rather the 2 languages must be separated by time, by location, by teacher, or by subject);

3.7.7.4 newcomer program (a newcomer program focuses on serving the students new to English in an intensive setting. Newcomer programs can be located within a school or be in a separate location; however a district must ensure that their newcomer program is in compliance with the state and with the Office of Civil Rights).

How will this function in a language immersion situation?

3.7.8 Instructional Approach. Chief Tahgee Elementary Academy will employ a variety of instructional approaches, which may include SIOP (Sheltered Instruction Observation Protocol) to teaching LEP students. The specific SIOP model is a combination of content-based ESL/Structured Immersion and Sheltered Instruction. The SIOP model is useful as a part of a program for pre-service and in-service professional development; as a lesson planner for sheltered content lessons; as a training resource for faculty; and as an observation and evaluation measure for site-based administrators, supervisors of student teachers and researchers who evaluate teachers (See Appendix AV).

3.7.9 Chief Tahgee Elementary Academy intends to meet English Language Development (ELD) compliance requirements and use Idaho State Adopted Instructional Materials. English Language Development is defined as a systematic developmental curriculum designed to build academic English language proficiency. English language learners at CTEA will be taught using research-based instructional programs designed to close the achievement gap. Therefore, CTEA will employ ELD standards-aligned curricula to fully meet the linguistic and academic language needs of all English language learners.

3.7.9.1 Chief Tahgee Elementary Academy will employ the Idaho Standards for English Learners, which were designed to assist teachers in moving English language learners to academic literacy proficiency in the English Language Arts (ELA). The intent of the ELD standards is guide classroom instruction and for developing benchmark standards. The State LEP Program requires that educators provide ELL with a defined program of instruction in ELD that fully addresses the ELD standards, provide instruction targeted to each level of proficiency and assesses each student's progress in English academic language fluency and academic literacy.

3.7.9.2 Chief Tahgee Elementary Academy will accept the ELD standards as a pathway for ELL towards English academic language fluency, academic literacy and mastery of the ELA content standards. Faculty and staff at CTEA will strive to design and deliver classroom instruction in all subjects with curricula that is targeted to specific levels of proficiency, is structured, and builds on mediated discussion and writing experiences.

3.7.9.3 Given the implementation of accountability measures for ELL, it is evident that effective curricula would include materials that directly address ELD standards,

facilitates teachers' differentiation of instruction, include assessments of academic literacy/language proficiency and tracks individual student progress over time similar to *LAS Links Benchmark Assessments*.

3.7.9.4 Consequently, Chief Tahgee Elementary Academy will select and implement a core ELD curriculum similar to *Macmillan/McGraw-Hill Treasure Chest for English Language* from the State Department of Education Adoption Guide. Moreover, CTEA will also use specifically designed ELD curricula and resources similar to *Decoding Strategies for Literacy Development* and *ELLIS Essentials*, and may use core language arts/reading curricula and software to meet the needs of English language learners at all levels of proficiency. **How will this tie into your Shoshoni language immersion program, especially at the lower grades where most of the day is spent using the Shoshoni language?**

3.7.9.5 Chief Tahgee Elementary Academy may also rely on state adopted ancillary materials designed to provide universal access. The universal access and materials are **designed** to scaffold academic literacy instruction for EL students in all content areas. They will be directly related to grade level language arts, science, social science, and mathematics content standard and core instruction. Universal access is meant to provide students with access to grade level content within the instructional day. The universal access lessons by themselves are not intended to provide ELD standard-based curricula for ELL. **Certainly, universal access may not meet the academic linguistic needs of all ELL and build the academic literacy, specifically for ELL at the beginning and intermediate levels of proficiency. [This statement is confusing.]**

3.7.10 Administrative Regulations. The Director or designee, in conjunction with appropriate stakeholders, will develop and disseminate administrative regulations regarding the LEP program which include:

- 3.7.10.1** Program goals.
- 3.7.10.2** Student enrollment procedures (i.e., Home Language Survey).
- 3.7.10.3** Assessment procedures for program entrance, measuring progress in gaining English proficiency, and program exiting.
- 3.7.10.4** Accommodations for English Language Learners (ELL) in the classroom.
- 3.7.10.5** Grading policies.
- 3.7.10.6** List of resources including support agencies and interpreters.

3.7.11 Individual Needs. The LEP program will be designed to provide instruction to meet each student's individual needs based on the assessment of English proficiency in reading, writing, listening and speaking. Adequate content area support will be provided while the student is learning English to ensure achievement of academic standards.

3.7.12 Highly Qualified. An Idaho certified ENL/bilingual education teacher hired as a teacher and, if necessary, appropriate support staff (e.g., teacher aides) will provide the LEP program.

3.7.13 Program Evaluation. The LEP Program will be evaluated for effectiveness based on the attainment of English proficiency. If the students are not successfully learning English as indicated by the selected research-based assessment(s), the program will be revised to ensure greater success.

3.7.14 Academic Standards. English Language Learners will be required to meet established academic standards, with accommodations.

3.7.15 Extracurricular Activities. Students will have access to and will be encouraged to participate in all academic and extracurricular activities available at CTEA.

3.7.16 Special Education LEP. Students who are English language learners may be eligible for special education services once it has been determined that the disability exists and this disability is not solely due to lack of instruction or proficiency in the English language. Students participating in LEP programs who are eligible for special education services will continue receiving LEP instruction at the appropriate proficiency and developmental level.

3.7.17 Parent Participation. The Board of Trustees understands the importance of parent participation in their child's education. Consequently, CTEA will make every effort to facilitate opens lines of communication with all parents/guardians/acting custodians.

3.7.17.1 In accordance with board policy and state and federal law, parents/guardians/acting custodians will receive written notice regarding identification, evaluation, the instructional program, parental options, and placement of their child in the Limited English Proficiency program at the beginning of each year.

3.7.17.2 Parents/guardians/acting custodians will be involved in all placement decisions regarding their child and afforded the opportunity to be involved in the development, implementation and evaluation of the program services.

3.7.17.3 Parents/Guardians/Acting Custodians will be regularly apprised of their student's progress and have the right to request due process hearings at any time. Communications with parents/guardians will be in the language understood by the parents/guardians/acting custodians, whenever possible; translators will be provided upon request at the school's expense.

3.7.17.4 Chief Tahgee Elementary Academy will maintain an effective means of outreach to encourage parental involvement in the education of their children.

3.7.18 Professional Development. The Director or qualified designee will provide a comprehensive professional development plan regarding the LEP Program. In compliance with Section 3115(c)(2), Chief Tahgee Elementary Academy will provide high-quality appropriate professional development to teachers, staff, administrators, and other school and/or community-based organizational personnel regarding research-based programming on how to serve LEP students. All professional development will be:

3.7.18.1 designed to improve the instruction and assessment of limited English proficient children;

- 3.7.18.2 designed to enhance the ability of such teachers to understand and use curricula, assessment measures, and instruction strategies for limited English proficient children;
- 3.7.18.3 based on scientifically based research (Sheltered Instruction Observation Protocol) demonstrating the effectiveness of the professional development in increasing children's English proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of such teachers; and
- 3.7.18.4 of sufficient intensity and duration (at least monthly and will not include activities such as one-day or short-term workshops and conferences) to have a positive and lasting impact on the teachers' performance in the classroom, except that this subparagraph shall not apply to an activity that is one component of a long-term, comprehensive professional development plan established by a teacher and the teacher's supervisor based on an assessment of the needs of the teacher, the supervisor, the students of the teacher, and any local educational agency employing the teacher.

3.7.19 Exiting from the LEP Program. A student is defined as “proficient” in English on the IELA, if the student tests at the Early Fluent level or above (EF+) within all domains assessed on the IELA. LEP students will be considered for a transition/exit out of LEP services once they reach “proficiency”, however scoring proficient alone is not sufficient for exiting out of the program. LEP students will be exited from the CTEA LEP Program when they:

3.7.19.1 Score at the Early Fluent Level and above (EF+) on each sub-domain on the IELA;

AND one of the following:

3.7.19.2 Receive an Idaho Reading Indicator (IRI) score of at least a 3, or an Idaho Standards Achievement Tests (ISATs) score that meets the “Basic” level;

OR

3.7.19.3 Demonstrate access to mainstream content curriculum in one of the following ways:

3.7.19.3.1. Elementary: Consistent proficient scores on grade level benchmark unit assessments; or

3.7.19.3.2. Teacher observations with supporting portfolio of student classroom work.

3.7.19.4 Students at CTEA will not necessarily be kept in an LEP program if they are deemed “proficient” on the IELA, but are not yet at the “proficient” level on the ISAT. Student will reach the “Basic” level of proficiency on the ISAT before they are considered to be exited from the LEP program.

3.7.19.5 CTEA will detail the exit criteria on its annual LEP Plans which will be approved by the Board of Trustees and submitted to the LEP Program manager no later than June 30th of each year.

3.7.19.6 An LEPX student is an LEP student who has been exited from the LEP program and is on monitoring status. Once a student has been coded as LEPX for 2 years, his/her LEP designation will be removed.

3.7.20 Monitoring. LEP student monitoring will include frequent reviews of test scores, language benchmark assessments like LAS Links Benchmark Assessments, quarterly reviews of Curriculum Based Measurements (CBM) like AIMSWeb, progress reports filled out by classroom teachers and one-on-one meetings with the student, if necessary..

3.7.21 Re-classifying. There are cases when a student who has been exited out of an LEP program still needs more assistance, therefore should be placed back into an LEP program. In this case, CTEA will determine whether the student in fact needs to be placed back in to an LEP program. In most cases, this student will still be on the 2 year monitoring status and coded as LEPX. Chief Tahgee Elementary Academy may choose to administer the IELA to LEPX (exited and monitored) students on an individual basis. If an LEPX student is suspected of needing more assistance, he/she will be tested, so that further monitoring can take place. Additional forms of monitoring an exited student will include, but not limited to: classroom teacher observations, classroom or unit assessments, student work, other statewide assessments, and conversations with the student and parents

3.7.21.1 If sufficient evidence deems that a particular student needs to be placed back into an LEP program, CTEA will make sure to place all documentation in the student's cumulative file.

3.7.21.2 A reclassification form for the student file will include, but is not limited to the following:

3.7.21.2.1 Date

3.7.21.2.2 Student Name

3.7.21.2.3 Student ID number

3.7.21.2.4 Student LEP number

3.7.21.2.5 Original entry date into the LEP Program

3.7.21.2.6 Exit Date of original LEP Program

3.7.21.2.7 Total previous years in an LEP Program prior to exiting

3.7.21.2.8 Criteria for originally exiting the LEP program

3.7.21.2.9 Reason for placing the student back into the LEP program

3.7.21.2.10 Signature of LEP Coordinator

3.7.21.2.11 Signature of school principal

3.7.21.2.12 Notification letter sent to parents?

3.7.21.3 Chief Tahgee elementary Academy will notify the parents/guardians/acting custodians that the school is placing the student back into a program. Parent/Guardian/Acting Custodian permission for services is not required; however, they still have the option to waive services if they so desire. If a

parent/guardian/acting custodian waives the services, then that documentation will be placed in the student's cumulative file.

3.7.21.4 If the student is placed back in a program, then they will again be coded as LEP for testing purposes. They would not at this point be eligible for LEP1 status, as they have already spent time in a U.S. school. Chief Tahgee Elementary Academy will document the number of years the student was originally in the program and the specific date of re-entry into the program.

3.7.22 Program Evaluation. The CTEA LEP Program will be evaluated for effectiveness based on the attainment of English proficiency. If the students are not successfully learning English as indicated by the selected research-based assessment(s), the program will be revised to ensure greater success.

3.7.22.1 Resources for LEP Program Evaluation. Chief Tahgee Elementary Academy will use the following resources for LEP program evaluation:

3.7.22.1.1 Annual LEP Plan Guidance Document – District LEP Plans must follow the format in this document. The questions will help districts walk through what they need to consider in order to implement a successful language development program.

3.7.22.1.2 OCR Resource Materials - For Planning and Self-Assessments of Programs for English Language Learners.

3.7.22.1.3 Claiming Opportunities Handbook – A Handbook for Improving Education for English Language Learners Through Comprehensive School Reform (The Education Alliance at Brown University).

3.7.22.2 Data- Driven Decision Making for LEP Programs. Data and test scores for each student will only be one way CTEA evaluates if its LEP program is successful. Professional development, teacher training and solid instruction all will be used to determine or drive the “data”. Therefore, CTEA will establish an accountability plan for all teachers to begin to implement good teaching strategies aimed at reaching the English language learners in their classroom. Below is some of the information that CTEA will consider when disaggregating data:

3.7.22.2.1 Race/ethnicity

3.7.22.2.2 Gender

3.7.22.2.3 Migrant, Immigrant or Refugee status

3.7.22.2.4 Free or reduced lunch

3.7.22.2.5 Individualized Education Plan (IEP) for special education

3.7.22.2.6 Gifted

3.7.22.2.7 LEP Program of service

3.7.22.2.8 1st year in a U.S. school (LEP1)

3.7.22.2.9 LEP on 2 year monitoring status (LEPX1 or LEPX2)

3.7.22.2.10 English language proficiency assessment data (IELA)

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3.7.22.2.11 Academic achievement data - Classroom grades, ISAT, IRI, other state/district-wide assessments, Curriculum Based Measurements (i.e. AIMSWeb)

3.7.22.3 *School Improvement Planning Checklist for LEP Programs.* Chief Tahgee Elementary Academy will employ a School improvement Planning Checklist for its LEP Program.

TAB 4: Assessment of Student Educational Progress

Section 4.1 - Measurable Educational Standards I.C. §§33-5205 (3)(b)

Section 4.2 - Method of Measurements I.C. §§33-5205 (3)(c)

Section 4.3 - Provision for Standardized Testing I.C. §§33-5205 (3)(d)

Section 4.4 - Provision for Accreditation I.C. §§33-5205(3)(e), §§33-5210(4)(b)

Section 4.5 - Provision for Learning Improvement per No Child Left Behind

Section 4.6 - Middle Level Credit and Advancement I.C. §§33-5205(3)(e), §§33-5210(4)(b)

Section 4.1 Measurable Educational Standards

This section needs to be revised to include a manageable number of measureable student education standards and deletion of extra information. The school will be held accountable for meeting each of the standards and will be required to provide documentation that verifies each standard has been met. Please ensure that your standards are academic based, time specific, attainable, and measureable. They should reflect the mission of the school. Additionally, the standards must include some comparison of CTEA's achievement to that of the local district(s) and state, with consideration given to student demographics.

4.1.1 CTEA will provide a challenging, comprehensive education that prepares students to be engaged as global citizens. The education program is designed to ensure all students meet the following measurable outcomes: **These standards are not specific or measurable, and fail to specify measurement tools.**

- Basic skills: Mastery of grade level competency in core subjects: math, science, social science, and English language arts, based on the most current standards of the State of Idaho.
- Bilingualism in Shoshoni: Students will master the ability to speak, read, write, and communicate effectively in different social and cultural contexts in Shoshoni.
- Life skills: develop personal qualities through an understanding of deniwape (lifeways of the people) that include diligence, intellectual curiosity, moral reasoning, and a respect for family, community, and scholarship.
- Cross-cultural competence: develop awareness of and sensitivity to other cultures and an international perspective.

At least some of the standards must rely on standardized, objective measures.

4.1.2 CTEA will focus on authentic assessment in order to measure performance in real-life contexts and integrate an interdisciplinary approach involving complex interrelationships. This type of assessment enhances intrinsic academic motivation and relevance by reflecting the kinds of activities, tasks, and challenges typical of real-life performances, those that writers, engineers, scientists, mathematicians, and business people accomplish. These types of assessments will include: products such as books, plays, maps, artwork, and writings; cognitive processes including creativity, synthesis, analysis, and acquiring, organizing, and using information; performances such as experiments and research, presenting findings, or performing plays; and cultural awareness as evidenced through interviews and observation of attitudes and social skills. All assessments will be aligned to the goals, objectives, and methods of the instruction and will be both formative and summative. Assessment at CTEA will include, but not be limited to, the following characteristics:

4.1.2.1 It will be embedded naturally in the learning process.

4.1.2.2 It generally will continue over a relatively long period of time as the teaching and learning process proceeds.

4.1.2.3 It will be non-algorithmic, mimicking real-life projects.

4.1.2.4 It will include a self-monitoring process.

4.1.2.5 It will be student-centered and differentiated.

- 4.1.2.6 Students will become active participants in the process.
- 4.1.2.7 It will be scaffolded up and effortful, not dumbed down.
- 4.1.2.8 Scoring criteria will be developed in partnership with the students.
- 4.1.2.9 It will be valid and reliable as to its predictability of adult performance.
- 4.1.2.10 It will include assessment rubrics, content-based measures, curriculum-based assessment, and standardized test.
- 4.1.2.11 It will be consistent.
- 4.1.2.12 It will permit early detection and diagnosis of failure to learn.
- 4.1.2.13 It will provide data for making improvements in instruction.
- 4.1.2.14 It will provide fair evaluations of performance on the learning goals and objectives.

4.1.3 Shoshoni Language Arts and Cultural Standards have been adopted for measuring achievement in Shoshoni and Shoshone-Bannock culture. Idaho Standards for Language Arts have been incorporated into and adapted for assessing reading and writing skills in Shoshoni. Reading and Writing Development Checklists will be used to provide an on-going method of documenting student growth in Shoshoni. The checklists will be used at least two times each year, and will be included in each student's portfolio.

This section refers to methods of measuring progress rather than measureable student education standards. This section of the petition should simply list the specific, measurable student educational standards to which CTEA will be held accountable.

4.1.4 Research consistently finds that the full immersion experience actually enhances English language development (Cloud, 2000). Since CTEA students will develop initial literacy in Shoshoni, it should be noted that English development may lag temporarily in reading, word knowledge, and spelling while instruction is occurring exclusively in the Shoshoni language. However, after a year or two of instruction in English language arts, this discrepancy will disappear (Genesee, 1987). It is important to understand that this lag is temporary and to be expected.

This is irrelevant to measureable student education standards.

4.1.5 To the extent possible, CTEA will adopt assessment tools for measuring achievement in Shoshoni. For example, a standardized test like the IRI will be adapted [by whom, and how soon?] for assessing reading and writing skills in Shoshoni. In addition, reading and writing development checklists will be used to provide an on-going method of documenting student growth in Shoshoni. Shoshoni Language Arts standards have been developed with the assistance of the Language and Cultural Preservation Department of the Shoshone-Bannock Tribes. All English Language Arts Standards required by the State of Idaho are also integrated into the Shoshoni Language Arts Standards.

4.1.6 The Spring IRI will be administered to all students. It is expected, however, that scores for students in Shoshoni immersion in grades 1-3 will lag somewhat.

4.1.7 In order to best serve our students and community, CTEA will continue to examine and refine its list of student outcomes over time to reflect CTEA's mission and any changes to national, tribal, or state standards. CTEA affirms that benchmark skills and specific classroom-level skills will be developed; and that its exit outcomes align to its mission, curriculum, and assessments. CTEA also recognizes that its student outcomes may need to

be modified over time, and will be closely monitored by staff and the School Board for continued appropriateness. This is a good example of a standard that cannot be evaluated objectively. While the sentiment is appreciated, it fails to fulfill the requirements of this section.

- 4.1.8** It is the intent of CTEA to demonstrate achievement and progress in measurable terms to students, parents, the community, stakeholders, the ACE, and the Idaho State Department of Education. Consequently, the school will actively participate in federal and state requirements for student achievement, accountability, and accreditation. Since standards are the basis of assessment, Chief Tahgee Elementary Academy will employ a variety of quantitative assessments to measure student achievement. Likewise all attempts will be made to sufficiently quantify and standardize the ongoing qualitative assessment data. The Idaho State Standards and the Common Core State Standards (CCSS) clearly define the essential knowledge and skills for student learning in each program area. CTEA students will meet or exceed the state standards in reading, language arts, math, science, social studies, physical education, humanities and health/wellness.
- 4.1.9** CTEA expects that within three years of students being consecutively enrolled at the school, 80% of 2nd and 3rd grade students attending CTEA, who have at least 90% attendance in a given school calendar year, will achieve “Benchmark” on the Shoshoni language arts assessment test ~~but will lag somewhat on the IRI~~ Does this test exist?
- 4.1.10** CTEA expects that within three years of students being consecutively enrolled at the school, 80% of 3rd graders will achieve “Strategic” on the IRI. Please consider whether including IRI results as a measurable student education standard is what you really want, as the IRI is not designed to be an achievement test and it is based on fluency only without regard to the comprehension component of reading skills.
- 4.1.11** CTEA students will ~~receive instruction in the Common Core State Standards and expects that~~ within three years of students being consecutively enrolled at the school, all 3rd, 4th, 5th, and 6th graders will meet or exceed the state targets, as applicable on the Idaho Standard Achievement Test or other current State approved standardized test. Is this sentence intended to indicate that students who have been consecutively enrolled for 3 years will meet or exceed...? If so, please rephrase accordingly. Also, the current phrasing implies that 100% of the students will achieve at this level.
- Students who do not score meet or exceed state targets will have an individual remediation plan in place. [This statement will hold the school accountable for ensuring every student who does not meet state targets has an individual remediation plan. Also, the statement is not part of the MSES and is therefore inappropriate in this location.]
- 4.1.12** As determined by classroom assessments and recorded on midterm and semester report cards, eighty-five percent (85%) of students will earn a grade of satisfactory (70%, C- or S-) or above on the Common Core State Standards (CCSS) and the Idaho Content Standards [It seems earning grades on the standards themselves is not an accurate statement. Do you plan to list every single standard on a report card and assign a grade for each one? It appears that you are referring to the content areas listed rather than the standards themselves.](reading, language arts, math, science, social studies, information and

communication technology, humanities, physical education, and health). Classroom assessments are of little use for MSES, as they are highly subjective and subject to change.

4.1.13 Eighty-five percent (80%) of all students will demonstrate grade level information and communication technology competency by scoring at least eighty percent (80%) on the end of year technology competency portfolio. The technology competency portfolio will be developed by a collaborative team of experts, teachers, administrators, Board of Trustees, and stakeholders before the first year of operation and reflect the Idaho State Standards and Common Core State Standards of technological competencies. [This should be included as part of the educational program description under Tab 3. Also, this is another subjective measure of little use for MSES purposes].

4.1.14 Upon the completion of each grade, ninety percent (90%) of students will receive a passing grade (pass/fail) on their learning portfolio as determined by Chief Tahgee Elementary Academy's portfolio rubric. The rubric will be based on current research and developed through a collaborative effort of teachers, administrators, Board of Trustees, and stakeholders before the first year of operation. Portfolio documents may be drawn from a variety of student work and sources, including: Subjective.

~~4.1.14.1~~ — Observations

~~4.1.14.2~~ — Oral questions

~~4.1.14.3~~ — Written tasks and tests

~~4.1.14.4~~ — Class presentations

~~4.1.14.5~~ — Extended problem solving projects

~~4.1.14.6~~ — Take-home tests

~~4.1.14.7~~ — Homework

~~4.1.14.8~~ — Journals

~~4.1.14.9~~ — Group work

~~4.1.14.10~~ — ISAT scores

~~4.1.14.11~~ — Student interviews

~~4.1.14.12~~ — Performance tests

~~4.1.14.13~~ — Criterion-referenced tests

~~4.1.14.14~~ —

~~4.1.15 Reports.~~ Assessment reports outlining the attainment of the aforementioned standards will be submitted to the Board of Trustees, ACE, the State Department of Education, and when applicable, the Idaho State Board of Education. All stakeholders, parents and the public will also be provided a copy of their student and school/district progress in regard to these standards within three (3) weeks of receipt from the State. ~~Unnecessary.~~

Section 4.2 Methods of Measurement This section should specify how each of the MSES described in the previous section will be measured.

4.2.1 Chief Tahgee Elementary Academy's expectations are that student rates of achievement and attendance will accelerate beyond the levels they were attaining before attending CTEA and will meet or exceed proficiency levels as defined by the NCLB and the State Department of Education. In order to demonstrate these achievements, student performance will be measured using a variety of assessments, including tribal, state and

federally mandated standardized tests, curriculum-based assessments, content standard assessments, and rubrics developed for determination of progress in technological literacy, behavior, attendance, engagement, and motivation.

- 4.2.2 State mandated standardized tests, currently the ISAT and IRI, will be administered annually. Mathematics, reading, and language arts, curriculum-based assessments (CBA), such as AIMSweb, will be administered to all students at least three times a year, in the fall (August/September) to establish a baseline for each student and in the winter (January) and spring (April-May) in order to monitor progress. A Shoshoni language reading and writing assessment test will be administered annually in the spring (April-May). A reading and writing development checklist will be used to provide an on-going method of documenting student growth in Shoshoni twice per year. Shoshone-Bannock cultural proficiency (based on the Shoshone-Bannock Cultural Standards) will be assessed annually (April-May). Chief Tahgee Elementary Academy will also select and regularly employ appropriate diagnostic assessments as needed to adapt instruction and support interventions. Classroom test scores, portfolios, and grades will be collected and analyzed monthly in order to demonstrate progress in the content area standards and language literacy. Rubrics will be developed and reviewed quarterly to assess progress in technological literacy, attendance, behavior, engagement, and motivation. All assessments will be used to develop the appropriate interventions to improve achievement, instruction, behavior, and motivation.

Section 4.3 - Provisions for Providing Standardized Testing

- 4.3.1 The ultimate goal for CTEA will be that all enrolled students meet the statewide performance standards developed by the Idaho State Department of Education. Consequently, students at CTEA will be tested with the same standardized tests as other Idaho public school students as delineated in Idaho Code §§33-5205 (3)(d) and defined by the Idaho State Board of Education. Chief Tahgee Elementary Academy will administer any and all State mandated assessments during the testing windows outlined by the State Department of Education, including the testing of any LEP students on the IELA (Idaho English Language Assessment).

- 4.3.2 Monitoring the progress of our students and evaluating innovations in education procedures are an important part of the CTEA curriculum development process. Consequently, student assessment evaluation will consist of:

- 4.3.2.1 a student baseline developed during the first year using testing results;
- 4.3.2.2 a comparison of annual results with baseline scores to assess progress;
- 4.3.2.3 grade-level and school composite scores;
- 4.3.2.4 a graph of annual results showing year-to-year change;
- 4.3.2.5 a graph of school scores relative to state and national averages; and
- 4.3.2.6 sub-analysis of a variety of variables to identify areas for improvement.

- 4.3.3 As required by NCLB and demonstrated by standardized tests (ISAT & IRI), an annual report of student progress will be published for parent, stakeholder, and public review and submitted to the Board of Trustees, the ACE, and the State Department of Education as soon as the data becomes available each school year. **Policy/procedure manual.**

Section 4.4 - Provisions for Accreditation

4.4.1 Chief Tahgee Elementary Academy will comply with all accreditation standards and obtain accreditation in accordance with Idaho Code §§33-5205 (3)(e) and §§33-5210 (4)(b) and the Idaho Administrative Procedures Act (IDAPA) 08.02.02.140. During its initial year of operation, the school will complete an accreditation self-assessment to direct design and implementation of an accreditation plan. Throughout the accreditation and strategic planning processes, the school will consult with the Idaho State Accreditation Committee. Chief Tahgee Elementary Academy will utilize the Self-Assessment of Idaho District Accreditation Quality Indicators and the Northwest Accreditation Commission's Initial Visit Report to fully develop its application and ensure compliance. Furthermore, Chief Tahgee Elementary Academy will meet all accreditation standards of the Northwest Association of Accredited Schools.

4.4.2 The school will meet the follow six standards as delineated in the Idaho District Accreditation Quality Indicators:

- 4.4.2.1** Vision, Mission, and Policies
- 4.4.2.2** Highly Qualified Personnel
- 4.4.2.3** Educational Program
- 4.4.2.4** Learning Environment
- 4.4.2.5** Continuous School Improvement
- 4.4.2.6** Student Achievement

4.4.3 Furthermore, the following standards will be developed and provided for accreditation as delineated by the Northwest Accreditation Commission:

- 4.4.3.1** Teaching and Learning Standards
 - 4.4.3.1.1** Mission, Beliefs, and Expectation for Student Learning
 - 4.4.3.1.2** Curriculum
 - 4.4.3.1.3** Instruction
 - 4.4.3.1.4** Assessment
- 4.4.3.2** Support Standards
 - 4.4.3.2.1** Leadership and Organization
 - 4.4.3.2.2** School Services
 - 4.4.3.2.2.1** Student Support Services
 - 4.4.3.2.2.2** Guidance Services
 - 4.4.3.2.2.3** Health Services
 - 4.4.3.2.2.4** Library Information Services
 - 4.4.3.2.2.5** Special Education Services
 - 4.4.3.2.2.6** Family and Community Services
 - 4.4.3.2.3** Facilities and Finance
- 4.4.3.3** School Improvement Standards
 - 4.4.3.3.1** Culture of Continual Improvement

4.4.4 An initial accreditation report outlining the attainment of standards will be submitted to the Board of Trustees, ACE, and the State Department of Education. The Director will submit

annual accreditation reports to all stakeholders, the Board, ACE, and the State Department of Education.

This information is not necessary. K-8 schools are not required to be accredited but may choose to be. If you include the highlighted information in your charter, you will be required to become accredited and follow all processes as outlined above.

Section 4.5 - Provisions for In Need of Improvement

4.5.1 Chief Tahgee Elementary Academy is committed to a school where student success is our top priority; consequently, all efforts will be made to ensure the success of all students, which include but are not limited to, the employment of a faculty designated as highly qualified. If it were ever determined that, based on student performance, CTEA was classified as a school “in need of improvement” as delineated by the State Department of Education and the No Child Left Behind Act (NCLB), the Director the Board of Trustees, ~~the ACE, and State Department of Education~~ CTEA’s petition cannot obligate other parties to do anything; also, participation at this level is likely outside the role of the ACE. will meet both internally and with outside experts to develop a comprehensive plan for improving performance until it has met AYP for two consecutive years and not longer considered “in need of improvement”.

Most of the information below would be better incorporated by reference. There is no need to reiterate requirements contained in other documents. Rather, this section should discuss how CTEA, in particular, will meet the requirements. This may be fairly general; there is no need to address each requirement individually.

4.5.2 Chief Tahgee Elementary Academy will stay informed of state and federal accountability requirements and/or policy changes each year through attending School Improvement workshops, webinars, etc.

4.5.3 No Child Left Behind requires all districts and schools receiving Title I funds meet state adequate yearly progress (AYP) goals for their total student populations and for specified demographic subgroups, including major ethnic/racial groups, economically disadvantaged students, limited English proficient (LEP) students, and students with disabilities. If schools fail to meet AYP goals for two or more years, they are classified as schools “in need of improvement”.

4.5.4 According to the number of years students haven’t met AYP requirements in reading and mathematics, the school enters into a level of improvement status. A Title I school that fails to make AYP as defined by the state for two consecutive years is designated “in need of improvement and receives specific consequences outlined below. For each subsequent year that a school fails to meet its AYP goals, the school’s “in need of improvement” status advances and the school faces additional consequences, including notifying parents of school choice, developing and implementing a school improvement plan, providing supplemental educational services, implementing corrective actions, and developing and implementing a restructuring plan.

4.5.5 School Improvement Year 3. If Chief Tahgee Elementary Academy has not made AYP for two consecutive years and enters into School in Need of Improvement Year 3, the Board of

Trustees, Director, and faculty will develop and implement a School Improvement Plan that 1) addresses the needs of the students and school, 2) send parents/guardians/acting custodians a notification letter indicating the school's "in need of improvement" status 3) offer parents the opportunity to transfer their children to a higher achieving public school or offer Supplemental Educational Services (SES) to eligible students in reading and math, and 4) set aside ten percent (10%) of the school's Title I, Part A funds for high-quality professional development that corresponds to the instruction of the student subgroups not making AYP.

4.5.5.1 Chief Tahgee Elementary Academy's two year School Improvement Plan will focus on identifying and addressing the specific issues that led the school to fail to meet its AYP goals. The improvement plan will be based on data analysis, instructional strategies, and budget analysis; it will be comprehensive, instructional based, and employ research-based strategies and measurable goals. It will focus on strategies to increase parent involvement, extend learning opportunities for the students, and improve faculty development.

4.5.5.2 The School Improvement Plan, parental opportunity for school choice and opportunity for SES will apply at all levels of improvement status. Moreover, Chief Tahgee Elementary Academy will offer transfer options to all parents if the school has been identified as persistently dangerous. Chief Tahgee Elementary Academy will notify parents of the school's improvement status, opportunity for SES services through an SDE approved provider and/or vendor, and option of transfers by the end of June each year, which will include a list of available schools and a description of each school's academic achievement information and list of SES providers. The types of SES may include remediation, tutoring, and other interventions consistent with the school and state academic standards.

4.5.5.3 Chief Tahgee Elementary Academy will employ multiple means to inform parents of their options and describes the services, qualifications, procedures, and timelines of selecting schools and/or SES providers; these may include the school newsletter, school website, newspaper notices, etc.

4.5.5.4 Priority will be given to low-achieving students from low-income families, and CTEA will pay for student transportation costs to the new school if outside of the student's local school district.

4.5.5.5 School Improvement Year 4. If Chief Tahgee Elementary Academy enters into School Improvement Year 4, it will update and continue to implement its School Improvement Plan, continue to implement all the School Improvement Year 3 requirements, and, along with the ten percent (10%) set aside for professional development, set aside twenty percent (20%) of the school's Title I A allocations to offer Supplemental Educational Services (SES). Once in School Improvement Year 4, CTEA will offer parents the opportunity for their child to receive beyond-the-school day instruction and assistance that employ research-based methods and practices known to increase student achievement. The types of SES may include remediation, tutoring, and other interventions consistent with the school and state academic standards. Students with the lowest achievement will have priority, and

students from low-income families will be eligible even if they are not a member of a subgroup who did not make AYP. [Will the school be able to remain fiscally viable with 30% of the Title I budget set aside?]

4.5.6 School Improvement Year 5. In School Improvement Year 5, Chief Tahgee Elementary Academy will update and continue to implement its School Improvement Plan, continue to implement the requirements under years three and four, submit a corrective action plan, and select and implement one or more of the following “corrective actions” as delineated by NCLB: replace school staff, implement new curriculum, decrease the authority of school-level administration, appoint outside experts to advise the school, extend the school year or school day, and/or restructure the internal organization of the school.

4.5.6.1 The corrective actions will be implemented in addition to the aforementioned school improvement interventions and will target the areas preventing students for academic achievement. [This does not make sense.] Consequently, CTEA will employ a variety of quantitative and qualitative data to determine the root causes and potential solutions, including but not limited to Curriculum Based Measurements, diagnostic assessments, etc. During this process, Chief Tahgee Elementary Academy will maintain strong lines of communication with the ACE, State Department of Education, institutions of higher learning, and other educational services agencies in order to access the needed technical assistance and expertise.

4.5.6.2 Chief Tahgee Elementary Academy will continue to set-aside ten percent (10%) of the school’s Title I, Part A funds for high-quality professional development and twenty percent (20%) of the school’s allocations to offer Supplemental Educational Services (SES). Moreover, in consultation with the ACE [This is not an appropriate role for the ACE], the Chief Tahgee Elementary Academy Board of Trustees will require the Director to set-aside a certain percent of general funds in anticipation of restructuring that may require hiring more staff or more effective teachers and/or administrators, decreasing class size, providing more professional development, or other forms of technical assistance. Will the school be able to remain fiscally viable with more than 30% of the budget set aside?

4.5.7 School Improvement Year 6. During School Improvement Year 6, Chief Tahgee Elementary Academy will continue to update and implement its School Improvement Plan, continue to implement the previous school improvement years’ requirements, and develop a plan for restructuring in order to completely revamp the operation and governance of the school. This process of restructuring will be substantial enough to transform and sustain change and will include at least one of the following alternative governance arrangements: replace all or most of the school staff, including the Director; enter into a contract to have an outside entity operate the school, arrange for the state to take over operation of the school, or any other major restructuring of the school’s governance arrangement that is consistent with the NCLB principles of restructuring. At this point in the school improvement process and in order to avoid a conflict of interest, the Chief Tahgee Elementary Academy Board of Trustees will grant the ACE the right solely to be responsible for choosing and implementing the restructuring/alternative governance

options under federal and state law. [This statement is not necessarily accurate. It has not been determined that restructuring responsibilities lie with the authorizer.]

4.5.7.1 Chief Tahgee Elementary Academy will notify parents and teachers of the school's status in restructuring and be encouraged to participate with the, the Director, Board of Trustees, and ACE in the restructuring plan. The ACE has the responsibility to work with the administration, teachers, parents, and community to develop a sound restructuring plan that will increase student achievement. The ACE does not necessarily have this responsibility; regardless, the petition cannot obligate another party. Before complete restructuring occurs, issues other than school governance that have the potential to produce significant change should be considered, such as: improving curriculum, instruction, and assessment, hiring extra highly qualified staff, and/ or providing more professional development opportunities.

4.5.7.2 Chief Tahgee Elementary Academy will continue to set aside ten percent (10%) of the school's Title I, Part A funds for high quality professional development and twenty percent (20%) of the school's allocations to offer Supplemental Educational Services (SES). Moreover, in consultation with and at the discretion of the ACE the Chief Tahgee Elementary Academy Board of Trustees will require the Director to set aside a certain percent of general funds to provide for restructuring that may require hiring more staff or more effective teachers and/or administrators, decreasing class size, providing more professional development, or other forms of technical assistance. This section is unnecessary. It is a repeat of section 4.5.6.2

4.5.8 School Improvement Year 7+. If Chief Tahgee Elementary Academy enters School Improvement Year 7 or beyond, the ACE will facilitate the implementation of the restructuring plan. All options available to students in the previous years will still be offered through the appropriate parent notification. The ACE will closely and carefully monitor the implementation and effects of the plan on the staff and students. The role of the State Department of Education will be determined in cooperation with the ACE and may include oversight, review and approval of the plan, progress reports, and evaluation. Chief Tahgee Elementary Academy realizes that the ultimate results of restructuring may include changing the focus area, redesigning the school, pairing the school with higher performing schools, or closing the school altogether. Again, this is not the ACE's role.

4.5.7.1 Chief Tahgee Elementary Academy will continue to set aside ten percent (10%) of the school's Title I, Part A funds for high quality professional development and twenty percent (20%) of the school's allocations to offer Supplemental Educational Services (SES). Moreover, in consultation with and at the discretion of the ACE and State Department of Education, the Chief Tahgee Elementary Academy Board of Trustees will require the Director to set aside a certain percent of general funds to provide for restructuring that may require hiring more staff or more effective teachers and/or administrators, decreasing class size, providing more professional development, or other forms of technical assistance. This section is unnecessary. It is a repeat of section 4.5.6.2

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4.5.9 The majority of the above information was produced in whole or part from Understanding the No Child Left Behind Act: Opportunities for Schools in Need of Improvement by Learning Point Associates.

~~Section 4.6 – Middle Level Credit and Advancement~~

4.6.1 Chief Tahgee Elementary Academy is an elementary school and does not enroll middle level student. ~~Unnecessary.~~

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TAB 5: Governance Structure

Section 5.1 - Description of Governance Structure I.C. §§33-5205 (3)(f)

Section 5.2 - Parental Involvement Procedures I.C. §§33-5205 (3)(f)

Section 5.3 - Financial and Programmatic Audits I.C. §§33-5205 (3)(k), §§33-5206(7),
§§33-5210 (3)

Section 5.4 - Dispute Resolution I.C. §§33-5209

Section 5.1 - Description of Governance Structure.

5.1.1 Governance. Chief Tahgee Elementary Academy, Inc. is a non-profit organization organized and managed under the Idaho Nonprofit Corporation Act in accordance with Idaho Code §§30-3-1. **The Board of Trustees will be the public agents who control and govern the charter school according to the Bylaws and Articles of Incorporation are delineated in Tab 1.[Does not make sense.]** Chief Tahgee Elementary Academy will be responsible to identify and comply with all statutory requirements affecting the operation of a public school. The Board of Trustees' meetings will follow the open meeting laws, keep accurate minutes, and make the minutes available to the public, according to the Bylaws of the charter school.

5.1.2 Founders. A Founder is defined in Section 33-5202 (a)(3), Idaho Code, and means a person, including employees or staff of a public charter school, who makes a material contribution toward the establishment of a public charter school in accordance with criteria determined by the Board of Trustees of the public charter school, and who is designated as such at the time the Board of Trustees acknowledges and accepts such contribution. The Founders have written the Charter petition and appointed the initial Board of Trustees. The Board of Trustees will select a candidate for the position of Director and established a preliminary operating budget. The current function of the founding group is to serve as a data-gathering resource and to provide input and advice to the Board of Trustees.
Redundant.

5.1.3 Board of Trustees. The Board of Trustees of the Chief Tahgee Elementary Academy is responsible for supervision and control of the business, property, and affairs of the school, except as otherwise expressly provided by law, the Articles of Incorporation, or its Bylaws. The Board will conduct or direct the affairs of the Chief Tahgee Elementary Academy and exercise its powers, subject to applicable education law, not-for-profit corporation law, Idaho Nonprofit Corporations Act, the CTEA Charter, and its Bylaws. The Board may formally delegate appropriate management of the activities of CTEA to others, so long as the affairs of the school are managed, and its powers are exercised, under the Board's ultimate jurisdiction. Authority is given to CTEA's Board of Trustees by the State of Idaho as provided in the "Public Charter Schools Act of 1998" (I.C. §§33-5201).

5.1.3.1 General Responsibilities. The Board of Trustees will be responsible for ensuring that the school is in compliance with all applicable tribal, federal, and state education standards, all applicable tribal, federal, and state laws, rules, regulations and policies, as well as the terms and conditions of the charter. The Board will:

- 5.1.3.1.1** Issue or cause to be issued an annual report, including a financial report, of the school;
- 5.1.3.1.2** Provide for annual financial, governance, and educational audits; **Is this intended to refer to fiscal and programmatic audits?**
- 5.1.3.1.3** Approve all expenditures;
- 5.1.3.1.4** Apply for federal, state, private, and other sources of funding which may assist in meeting the goals and purposes of the school;

- 5.1.3.1.5 Establish procedures and policies which will govern and provide oversight for the expenditures and respective requirements of any such funding;
- 5.1.3.1.6 Oversee investments and gifts;
- 5.1.3.1.7 As needed, secure the services of an attorney and/or legal counsel;
- 5.1.3.1.8 Provide information to the media regarding the purposes, goals, projects, activities, and successes of the school;
- 5.1.3.1.9 Secure general liability and errors and omissions insurance as customary and proper for the operation of similar schools;
- 5.1.3.1.10 Hire and terminate all faculty and unclassified employees of the Chief Tahgee Elementary Academy;
- 5.1.3.1.11 Enter into contracts or execute and deliver any instrument in the name of and on behalf of the school;
- 5.1.3.1.12 Negotiate the terms for and secure independent contracts;
- 5.1.3.1.13 To conduct any and all business of the organization to ensure the health and welfare of the school and its goals and purposes.

5.1.3.2 Number and Qualifications. The Board of Trustees of the Chief Tahgee Elementary Academy will consist of seven (7) members.

5.1.3.2.1 Ex-Officio Members. The Board of Trustees designates the Director of School Programs as an ex-officio member of the Board, and the Board may appoint other ex-officio members as it sees fit.

5.1.3.2.2 Qualifications. To qualify as a member of the Board of Trustees, an individual must be at least eighteen years of age and cannot be an employee of the Chief Tahgee Elementary Academy.

5.1.3.3 Terms of Office. In order to sustain the vision of Chief Tahgee Elementary Academy, provide for continuity in board membership, and stagger the terms of office, the governing Board of Trustees will be divided into two classes: appointed and elected.

5.1.3.3.1 Appointed Trustees. Four governing board positions are designated as appointed; these appointments will be determined by a two-thirds (2/3) vote of the Board of Trustees.

5.1.3.3.1.1 One (1) appointed position is reserved for a “Founder” of Chief Tahgee Elementary Academy; the term of office for this position is indefinite. Reappointments to this position will occur when the trustee resigns, removed with cause, or is no longer able to serve. Once vacated, the appointee to this position will be selected at the next regularly scheduled Board meeting.

5.1.3.3.1.2 One (1) appointed position is reserved for a Shoshone-Bannock Tribal Language and Culture Representative; the term of office for this position is indefinite. Reappointments to this position will occur when the trustee resigns, removed with cause, or is no longer able to serve. Once vacated, the appointee to this position will be selected at the next regularly scheduled Board

meeting. Qualifications and criteria for this position are determined by the Board of Trustees and delineated in board policy.

5.1.3.3.1.3 Two (2) trustees initially will be appointed to serve six (6) year terms. Successional appointees in these positions will serve three (3) year terms.

5.1.3.3.2 Elected Trustees. Three governing board members initially will be appointed to serve five (5) year terms. At the end of the initial five-year term, these positions will be filled through election by the voting membership for three (3) year terms of service.

5.1.3.4 Term Limits. There will be no term limits imposed on Board of Trustee members.

5.1.3.5 Resignation. Any Trustee may resign at any time by giving written notice to the Chair of the Board. The resignation will take effect upon acceptance by the Board of Trustees at its next regularly scheduled meeting.

5.1.3.6 Removal. Trustees serve at the pleasure of the Board and the membership. Trustees may be removed with cause by a two-thirds (2/3) vote of the Board of Trustees. Removal of Trustees will be by established policy that provides due process for the Trustee in question.

5.1.3.7 Vacancies. The Board of Trustees has the authority to appoint any persons to vacancies on the Board to fulfill the unexpired term.

5.1.3.8 Compensation The Board of Trustees serves without compensation.

5.1.3.9 Officers. The officers of the Board will consist of a Chair, Vice-Chair, Secretary and Treasurer. The Board may designate other officers as it may deem necessary and such officers will have the authority prescribed by the Board.

5.1.3.9.1 Election and Term of Office. The officers will be elected annually by the Board of Trustees at the first meeting of the fiscal year. If the election of officers will not be held at such meeting, such election will be held as soon as possible thereafter. Each officer will hold office until their successor will be duly elected and qualified. The officers will hold office for one (1) fiscal year.

5.1.3.9.2 Vacancies. Vacancies may be filled or a new office created and filled at any meeting of the Board of Trustees.

5.1.3.9.3 Removal. Any officer elected or appointed by the Board of Trustees may be removed for a cause by an affirmative vote of five (5) Trustees of the Board, whenever in its judgment the best interest of the school would be served thereby.

5.1.3.9.4 Resignation. Any officer may resign at any time by giving written notice to the Chair of the Board. Such resignation will take effect at the time specified in the notice, or if not time is specified, then the

resignation will take effect at the time accepted by the Board of Trustees at its next regularly scheduled meeting immediately.

5.1.3.9.5 Duties of the Chair. The Chair will preside at all meetings of the Board of Trustees and will vote on all issues. The Chair will sign with the Secretary, or any other proper officer authorized by the Board of Trustees, any deed, mortgage, bond, contract, or other instrument which the Board of Trustees has authorized to be executed, except in cases where the signing and execution thereof will be expressly delegated to some other officer or agent. In consultation with Board members, staff members and other groups or individuals directly concerned, the Chair will prepare, or cause to be prepared the Board agendas and will call to order as well as adjourn all meetings. In general, s/he the Chair will perform all duties incident to the office of chair and any other duties that from time to time may be prescribed by the Board of Trustees.

5.1.3.9.6 Duties of the Vice-Chair. The Vice-Chair will maintain order within the board meetings at all times and ensure all Bylaws and traditions are respected by everyone. The Vice-Chair will ensure that parliamentary procedures are followed. In the absence of the Chair, or in the event of inability or refusal to act, the Vice-Chair will perform the duties of the Chair, and when so acting, will have all the powers of, and be subject to all the restrictions upon, the Chair. The Vice-Chair will perform all duties incident to the office of vice-chair and such other duties from time to time as may be assigned by the Chair or by the Board of Trustees.

5.1.3.9.7 Duties of the Secretary. The Secretary will keep or cause to be kept, the official minutes of the meetings of the Board of Trustees in one or more books provided for that purpose. The Secretary will see that all notices are duly given in accordance with the provisions of the Bylaws, or as required by law and be custodian of the records and seal. In general, the Secretary will perform all duties incident to the office of secretary and any other duties as from time to time may be assigned by the Chair or the Board of Trustees. In the absence of the Chair, the Secretary will preside at the meetings of the Board of Trustees.

5.1.3.9.8 Duties of the Treasurer. The Treasurer will have charge and custody of and be responsible for all funds and securities of the Corporation. The Treasurer will assure that appropriate staff receive and give receipts for money due and payable to CTEA from any source whatsoever and deposit all monies in the name of the CTEA in such bank or other financial institution as will be selected by the Board of Trustees. In general, the Treasurer will perform all the duties incident to the office of treasurer and any other duties as from time to time may be assigned by the Chair or the Board of Trustees.

5.1.3.10 Committees. The Board of Trustees, by action adopted by five (5) Trustees, may designate and appoint one or more committees, work groups, task forces, etc. or other advisory group. No committee, work group, task force, etc. or other advisory group will have the authority to amend or repeal the Bylaws, elect or remove any officer or Trustee, adopt policies, adopt a plan of merger, or

authorize the voluntary dissolution of the Corporation. Potential committee membership may be required to complete application submit an application, vitae, resume, or biography to be considered for appointment.

This information is contained in the bylaws. It does not need to appear here as well. Please see comments in the bylaws that address concerns not marked here.

5.1.4 Relationship between Board of Trustees and School Administration. Administrative services for CTEA will be provided for by the Director of School Programs. The Director must possess, or be qualified to possess, a valid Idaho Administrator Certificate in a period of time deemed acceptable to the Board. Under the direction of the Board, the Director will determine the day-to-day operations of the school in accordance with Title 33 of Idaho Code. In order to acquire the most talented administrators, the Board reserves the right to reassign responsibilities of the Director upon a super-majority (2/3rds) vote; reassignment(s) will be subject to pending contracts. **Policy** The Director will be ultimately responsible to oversee the following areas:

5.1.4.1 Responsibilities of the Director of School Programs

- 5.1.4.1.1 Accountability & Testing
- 5.1.4.1.2 Capital Accounts
- 5.1.4.1.3 Collective Bargaining Cost Analysis
- 5.1.4.1.4 Construction/Facilities/Maintenance
- 5.1.4.1.5 Fiscal Forecasting
- 5.1.4.1.6 Grants, Gifts & Fundraising
- 5.1.4.1.7 Insurance & Fringe Benefits
- 5.1.4.1.8 Medicaid Management
- 5.1.4.1.9 Payroll
- 5.1.4.1.10 Purchasing & Contracts
- 5.1.4.1.11 Technology
- 5.1.4.1.12 Transportation
- 5.1.4.1.13 Strategic Planning
- 5.1.4.1.14 Human Resources
- 5.1.4.1.15 Budget/Budget Reporting
- 5.1.4.1.16 Interscholastic Relations – Charter & Traditional
- 5.1.4.1.17 Curriculum, Instruction & Special Programs
- 5.1.4.1.18 External Organizations/Agencies
- 5.1.4.1.19 Federal Programs – Impact Aid (PL 81-874), Johnson O'Malley, Title II-A, Title I-A, Title VI-B, Title VII
- 5.1.4.1.20 Athletics/Activities/Afterschool Programs
- 5.1.4.1.21 Professional Development & Assessment
- 5.1.4.1.22 Public Relations & Marketing
- 5.1.4.1.23 Principal – Head of School
- 5.1.4.1.24 Schools & Administrators
- 5.1.4.1.25 Board Relations

5.1.4.2 Contracts. When deemed in the best interest of CTEA, selected financial and organizational operations may be contracted out to licensed and bonded entities.

The Director will be responsible for oversight of these contracts. No contractual agreements have been made at this time.

5.1.4.3 Reporting. Annual programmatic operations and financial reports will be presented by the Director to the Board of Trustees and the Authorizing Chartering Entity (ACE) when the data becomes available and in a timely manner

5.1.4.4 Operations. Under the direction of the Board, the Director will determine the day-to-day operations of CTEA in accordance with Title 33 of Idaho Code.
Redundant.

5.1.4.5 Evaluation. The Director will receive a yearly evaluation according to his/her performance. Prioritized goals and objective, in conjunction with a valid performance measure, will be agreed upon by the Director and the Board, and retained in the Director's personnel file.

5.1.4.6 Vacancies. During the vacancy of the Director position, the Board will reassume complete oversight. Within thirty (30) days, the Board will appoint an interim Director to oversee the day-to-day operations until the position can be filled as soon as a suitable candidate can be found.

5.1.4.7 Stakeholders. Board members, founding family members, faculty, staff, and community stakeholders will be utilized according to their background and experience, which includes fund raising experience, grant writing expertise, etc.

5.1.4.8 Other Administrators. The Chief Tahgee Elementary Academy administrative organization will be designed so that all divisions and departments are part of a single system guided by Board policies, which are implemented through the Director. Other administrators are expected to administer their resources in accordance with federal and state regulations, Board policy, and the rules and procedures outlined by the Director. On the recommendation of the Director, other administrators will be retained by the Board; other administrators will be supervised by the Director and evaluated annually by the Director with approval of the Board. **What other administrators does the school plan to employ? Does the budget allow for more than one administrative position?**

5.1.4.9 Faculty and Unclassified Staff. All faculty and unclassified staff will be retained by the Board of Trustees and accountable to the Director. The state funding formula will be used for funding faculty through the regular budgetary process. In order to attract the most highly qualified teachers, additional resources will be sought through grants, volunteers, and fundraising efforts.

5.1.4.10 Classified Personnel. All classified staff is retained by the Director of School Programs and accountable to Director.

Section 5.2 - Parental Involvement

5.2.1 In accordance with Idaho Code §§33-5205 (3)(f), all parents with students enrolled at CTEA will be encouraged to be highly involved in their child's education and may at any time consult with the Director regarding direction and operation of the school. Chief Tahgee Elementary Academy will be committed to the continual betterment of efficient and effective lines of communication with parents and teachers. Likewise, parents of students who attend CTEA will be afforded every opportunity to participate in the education of their child, including but not limited to volunteer work. Parents possess unique and critical insight into the personalities, learning strategies, motivational state, weaknesses, and strengths of their child that enhance individual and school success. Some processes to facilitate parental involvement will include, but are not limited to the following:

5.2.1.1 Parents will receive a student/parent handbook at registration.

5.2.1.2 Parents will receive written information regarding the function of the school on a monthly basis.

5.2.1.3 Parents will be sufficiently notified of and encouraged to attend two parent teacher conferences per year.

5.2.1.4 Parents will be asked to complete a satisfaction survey during the fall semester and completion of each school the school year addressing their perceptions of [Please rephrase so this makes sense]: the happiness of their children, safety of students, classroom attention, school-wide discipline, child's response to classroom atmosphere, the progression of their child, the learning environment as a whole, and other general concerns and satisfactions.

5.2.1.5 Parents will be encouraged to be involved in the parent association/committee and to become an integral part of CTEA community, this may include volunteering for school projects, programs, or committees, working with students, and supporting academic and other activities directed toward personal and character development.

5.2.1.6 Parents will be *instructed on and encouraged* to provide various appropriate learning environment where their children can study.

5.2.1.7 ~~Parents will be encouraged to communicate regularly with the school. In turn, the school and the faculty and staff association/committee will regularly communicate with the parents via telephone, e-mail, websites, face-to-face, written notes, and post. Chief Tahgee Elementary Academy teachers will be required to contact parents, or post via digital means, all missing assignments and grade information for their student every (3) weeks.~~ Policy/procedures manual. If this is left in the petition, the school will be held accountable for ensuring all teachers contact all parents every three weeks.

5.2.1.8 ~~In order to provide the highest quality faculty and staff and according to Idaho Code §§33-513, all parents will complete formal yearly evaluations of all administrators, faculty, and staff.~~ CTEA's petition cannot oblige a third party to do anything.

5.2.1.9 Parents will be encouraged to serve as Board of Trustee members.

5.2.1.10 Parents will be encouraged to volunteer their time and talents to assist with the daily operation of the school as well as after school programs. Parent volunteerism is strictly optional, but it is encouraged for the benefit of the students. The school will regularly distribute volunteer information to parents that

will allow them to sign up for service in areas of expertise or interest; this will allow parents to provide the most meaningful service, and simultaneously provide the school with the ability to coordinate. All volunteers a

5.2.1.11 Background checks will be performed on all volunteers working with students whose interactions will be unsupervised by a faculty or staff member or as deemed necessary by the Director or designee.

Section 5.3 - Financial and Programmatic Audits

5.3.1 Chief Tahgee Elementary Academy will comply with all the reporting requirements of Idaho Code §§33-5205(3)(k), §§33-5206(7), and §§33-5210(3), §§33-701 (5) through §§33-701 (10,)and IDAPA 08.02.04.300.03 and 08.03.01.301.12. An annual educational programmatic operations and financial audit will be conducted during each year of operation; the results will be submitted in a timely manner to the Board of Trustees, the ACE, stakeholders, and the State Department of Education.

5.3.2 Chief Tahgee Elementary Academy will conduct, or have conducted through contract, yearly programmatic audits based on the standards, goals, objectives, and rubrics establish by the Idaho Charter School Network and may be supplemented through information obtained via its own instruments. **Redundant. This may be the best location for this information, which need only be stated once.**

5.3.3 When applicable, accreditation-related visits, audits, and reports will be completed in a timely manner and copies will be submitted to the Board of Trustees the ACE, and the State Department of Education.

The highlighted information below is unnecessary, as it merely reiterates requirements that are provided elsewhere.

5.3.4 In accordance with Idaho Code §§33-701 (5), CTEA Board of Trustees will prepare, or cause to be prepared and published, within one hundred twenty (120) days from the last day of each fiscal year, an annual statement of financial condition and report of the school district as of the end of such fiscal year in a form prescribed by the state superintendent of public instruction. The annual statement will include, but not be limited to, the amounts of money budgeted and received and from what sources, and the amounts budgeted and expended for salaries and other expenses by category. Salaries may be reported in gross amount. Moreover, upon request, CTEA will have available at the office a full and complete list of vendors and the amount paid to each and a list of the number of teachers paid at each of the several stated gross salary levels in effect in the school.

5.3.4.1 At the discretion of the Board, any additional or supplementary statements and reports may be made for the purpose of informing the public of its financial operations. Such information may be omitted from the annual statement of financial condition and report for such portions of the fiscal year as already have been reported.

5.3.4.2 The annual statement of financial condition and report will be published in one (1) issue of the Sho-Ban News, the Idaho State Journal, and the Blackfoot Morning

News. The chairman, secretary, and treasurer of CTEA will certify the annual statement of financial condition and report to be true and correct, and the certification will be included in each published statement.

5.3.4.3 In the event the CTEA Board of Trustees fails to prepare or cause to be prepared or to publish the annual statement of financial condition and report as required, the Board acknowledges that the State Superintendent of Public Instruction will cause the same to be prepared and published, and the cost thereof will be an obligation of CTEA. One (1) copy of the annual statement of financial condition and report will be retained in the school office and will be open at all times to examination and inspection by any person.

5.3.5 In compliance with Idaho Code §§33-701(6), the CTEA Board will contract each year with an independent auditor for a full and complete audit of the financial statements of the school as required in Idaho Code §§67-450(b). One (1) copy of the audit report will be filed with the State Department of Education, after its acceptance by the Board, but not later than November 10. In the event the State Department of Education requests further explanation or additional information regarding the audit report, CTEA will provide a full and complete response to the State Department of Education within thirty (30) days of receipt of the request.

5.3.6 In compliance with Idaho Code §§33-701(7), the CTEA Board Of Trustees will file annually with the State Department of Education any such financial and statistical reports the State Superintendent of Public Instruction may require.

5.3.7 In accordance with Idaho Code §§33-701(8), the Board will not order and have destroyed any canceled check or warrant, or any form of claim or voucher which has been paid, until a minimum of five (5) years from the date the same was canceled and paid.

5.3.8 In compliance with Idaho Code §§33-701(9), the CTEA Board of Trustees will review the school budget periodically and make appropriate budget adjustments to reflect the availability of funds and requirements. The Director or designee will notify in writing each member of the Board a minimum of one (1) week prior to the meeting at which the proposal will be made. Prior to the final vote on such a proposal, notice will be posted and published once, as prescribed in Idaho Code §§33-402. A budget adjustment will not be approved unless voted affirmatively by sixty percent (60%) of the CTEA Board. All amended budgets will be submitted to the state superintendent of Public Instruction.

5.3.9 In compliance with Idaho Code §§33-701(10), the CTEA Board of Trustees may invest any money coming into the hands of the school district in investments permitted by Idaho Code §§67-1210. Unless otherwise provided by law, any interest or profits accruing from the investment of any funds will be credited to the general fund of the school.

5.3.10 Chief Tahgee Elementary Academy acknowledges that the ACE or State Department of Education may choose to do independent financial and/or programmatic operations audits at any time at their own expense. An independent audit may be performed as specified (annually), or at such time as revocation or non-renewal of the charter may be initiated.

Section 5.4 - Dispute Resolution.

5.4.1 Chief Tahgee Elementary Academy Board of Trustees and the ACE will resolve disputes relating to provisions of the charter following the procedures set forth in Section §§33-5209, Idaho Code, and the applicable rules of the State Board of Education for notice of defect and submission of a corrective action plan.

~~**5.4.2** In an effort to be proactive concerning disputes that may arise relating to provisions of the charter contract, the CTEA Board of Trustees, or designee, and the ACE, or designee, will meet as needed to discuss relations.~~

~~**5.4.3** Should the ACE identify areas where CTEA is not meeting the provisions of the charter contract, the ACE will provide in writing to the CTEA Board a list of these concerns.~~

CTEA's petition cannot obligate a third party.

TAB 6: Employees of Chief Tahgee Elementary Academy

Section 6.1 - Employee Qualifications I.C. §§33-5204A (1), §§33-5205 (3)(g), §§33-5210 (4)(a)

Section 6.2 - Employee Contracts I.C. §§33-5206 (4)

Section 6.3 - Criminal History Background Check I.C. §§33-5210 (4)(d), §§33-130, §§33-512

Section 6.4 - Transfer Rights §§33-5205 (3)(o), §§33-1217

Section 6.5 - PERSI, Social Security, Unemployment, Worker's Compensation, and Health Insurance I.C. §§33-5205 (3)(m)

Section 6.6 - Collective Bargaining I.C. §§33-5205 (3)(p)

Section 6.7 - Evaluation

Section 6.8 – Personnel Files

Section 6.1 - Employee Qualifications.

- 6.1.1** The Board of Trustees recognizes that student success is directly correlated to a talented and capable faculty and staff. Moreover, all employees will possess personal characteristics, knowledge, and experience consistent with the philosophy, mission, and expectations of CTEA and will be required to follow the professional code of ethics of their respective positions.
- 6.1.2** The Director will be selected upon criteria to be developed by the Board; emphasis will be placed on a broad spectrum of employment experience and educational coursework. Chief Tahgee Elementary Academy reserves the right to employ the Director based on its selected criteria, which will be based around, but not limited to, the State of Idaho rules regarding administrator certification. All individuals selected as the Director must possess no less than a Masters Degree from an accredited university and must also possess a valid Idaho Administrator Certificate.
- 6.1.3** All certified faculty members will meet or exceed the qualifications considered *highly qualified* (HQT) in their subject area as required under NCLB and state regulations, and possess an Idaho Education Credential or be in application thereof. In order to achieve this standard, CTEA has developed the following objectives: **Note that, by including the details below in the petition, CTEA will be obliged to fulfill all the requirements listed; failure to do so will constitute violation of the charter. This concept should be applied throughout the petition, which contains extensive detail beyond that which is required.**

6.1.3.1 Objective 1: Recruit highly qualified and effective personnel.

- 6.1.3.1.1** Recruit highly qualified teachers at job fairs.
- 6.1.3.1.2** Screen applicants to ensure that they are highly qualified before being included in the applicant pool.
- 6.1.3.1.3** Provide opportunities for teachers needing hours for certification.
- 6.1.3.1.4** Develop teacher recruitment brochures.

6.1.3.2 Objective 2: Implement a high quality professional development program to provide teachers and staff and administrators with opportunities for professional growth.

- 6.1.3.2.1** Implement a high quality staff development program based on research and data.
- 6.1.3.2.2** Provide staff development that directly impacts the improvement of curriculum, instruction, and interventions for at-risk students.
- 6.1.3.2.3** Provide staff development sessions that are aligned with credits for renewal of Idaho educator certificates.
- 6.1.3.2.4** Provide staff development so that all staff members will continue to be 100% highly qualified.
- 6.1.3.2.5** Provide technology applications sessions to continue integrating technology into instruction.

- 6.1.3.2.6 Offer professional development opportunities through college coursework, conferences, and seminars.
- 6.1.3.2.7 The Director will determine weekly and in-service training days in order to provide teachers with training in the methodologies described in this petition.

6.1.3.3 Objective 3: Implement strategies to retain highly qualified personnel.

- 6.1.3.3.1 Require that 100% of the teachers will continue to be highly qualified as tracked in the CTEA compliance report.
- 6.1.3.3.2 Provide teachers with competitive salaries.
- 6.1.3.3.3 Provide testing fee reimbursement upon completion of testing and certification requirements.
- 6.1.3.3.4 Develop a pay-for-performance plan tailored to the unique qualities of CTEA.
- 6.1.3.3.5 Provide innovative, personalized incentives in order to improve staff morale.
- 6.1.3.3.6 Provide retention stipends to teachers in recognition of their dedication to CTEA
- 6.1.3.3.7 Provide employee wellness program.

6.1.4 According to Idaho Code §§33-1280, all heritage language immersion teachers will be designated as highly and uniquely qualified by the Shoshone-Bannock Tribes and certified as American Indian language teachers by the State Department of Education.

6.1.5 Recruiting and retaining highly qualified bilingual teachers is a priority for CTEA, therefore we are incorporating a broad range of recruitment practices. We are collaborating with the Shoshone-Bannock Education and Human Resources departments in order to contact bilingual past and current students who are interested in becoming certified elementary school teachers (See Appendix AQ). Larry Murillo, Direct of Education, Shoshone-Bannock Tribes is allocating special education funds for prospective students, whether fluent or willing to become fluent, for those individuals who wish to become a part of our team. We are also collaborating with the departments of education of both Idaho State University and Utah State University to recruit, train and provide scholarships for prospective bilingual certified elementary school teachers. Finally, we are working with tribal education departments from other Shoshoni speaking tribes (e.g., Wind River, Pyramid Lake, Duck Valley, and the Northwest Band) to recruit interested individuals from their reservations.

6.1.6 All paraprofessionals classified as a Title I Instructional Assistant, ELL Instructional Assistant, Special Education Instructional Assistant, Youth Companion, Occupational Therapy or Physical Therapy Technician, or Library Media Assistant will meet one of the following three requirements before being hired:

- 6.1.6.1 completed two years (48 credits) of study at an institution of higher education; or
- 6.1.6.2 obtained an associate's (or higher) degree; or
- 6.1.6.3 pass the state ParaPro Assessment.

- 6.1.7 When applicable, CTEA's ancillary staff members will hold the appropriate state licensure or certification to provide services to students at the school
- 6.1.8 When deemed in the best interests of the educational program, the Board reserves the right to seek limited certification options as provided by rule of the Idaho State Board of Education. Additionally, Chief Tahgee Elementary Academy reserves the right to employ any person for temporary assistance under the direct supervision of certified staff members. These provisions are intended to allow various community experts and other specialized persons who may not hold certification to contribute to the school according to their talents, experience, creativity, or expertise on an as needed basis.
- 6.1.9 Chief Tahgee Elementary Academy will be an equal opportunity employer; job announcements and all other hiring practices will be free of discriminatory language.
- 6.1.10 A copy of the certificates for all certified administrators, teachers, and staff members will be kept on file at CTEA, provided upon request, and available to the public through the State Department of Education website.

Section 6.2 - Employee Contracts.

- 6.2.1 The Director will make recommendations to the Board of Trustees for approval of instructional staff. Each professional staff member, including the Director, will be on a written contract **in a form** approved by the Superintendent of Public Instruction, conditioned upon a valid certificate being held by such professional personnel at the time of entering upon the duties.
- 6.2.2 Certified teachers and administrators at CTEA are public school employees; their service at CTEA counts as one year experience on the state indexing scale.
- 6.2.3 Employee contracts are considered public documents; therefore, a copy of all contracts will be kept on file at CTEA and posted on the school's website.
- 6.2.4 All employees will be required to undergo an annual performance review before the renewal of a contract.

Section 6.3 - Criminal History Background Checks.

- 6.3.1 All employees will undergo criminal history background and fingerprinting checks.
- 6.3.2 All volunteers who potentially will be working with or alone with students unsupervised will undergo criminal history background and fingerprinting checks.

Section 6.4 - Employee Transfer Rights.

- 6.4.1 Employees of Chief Tahgee Elementary Academy are not employees of any local school district, and consequently, will not be eligible for an in-district transfer; however, they may apply to work in any district.

Section 6.5 - Employee Benefits.

6.5.1 The Board will ensure that employees participate in the following programs and receive the following benefits: group health insurance, sick leave benefits, Public Employee Retirement System, Federal Social Security, Unemployment Insurance, and Worker's Compensation Insurance to the extent allowed and required by law.

Section 6.6 - Collective Bargaining.

6.6.1 Chief Tahgee Elementary Academy's staff and employees will be a separate unit for purposes of collective bargaining.

Section 6.7 – Evaluation.

6.7.1 Chief Tahgee Elementary Academy has a firm commitment to performance evaluation of all school personnel, whatever their category and level, through the medium of a formalized system. The primary purpose of such evaluation is to assist personnel in professional development, individual improvement, personnel improvement, and in achieving CTEA goals. Chief Tahgee Elementary evaluation process is based, in part, on the work of Charlotte Danielson as presented in Enhancing Professional Practice: A Framework for Teaching, 2nd Edition. 2007. Ms. Danielson's research provides the elements of effective instruction that most often lead to improved student achievement. CTEA evaluation criteria also utilizes concepts from Teacher Expectations and Student Achievement (TESA), the work of Robert Marzano and other research-based teaching and learning methodologies Chief Tahgee Elementary Academy will identify "proficiency" of certificated employees through evaluation rubrics, parent input through its Parent School Climate Survey, and will tie at least fifty percent (50%) of teacher and administrator evaluations to growth in student achievement. The attached policy meets all of the requirements of IDAPA 08.02.02.120 – Local District Evaluation Policy (see Appendix AY).

The formal performance evaluation system is designed to:

6.7.1.1 Maintain or improve each employee's job satisfaction and morale by letting him/her know that the supervisor is interested in his/her job progress and personal development.

6.7.1.2 Serve as a systematic guide for supervisors in planning each employee's further training.

6.7.1.3 Assure considered opinion of an employee's performance and focus maximum attention on achievement of assigned duties.

6.7.1.4 Assist in determining and recording special talents, skills, and capabilities that might otherwise not be noticed or recognized.

6.7.1.5 Assist in planning personnel moves and placements that will best utilize each employee's capabilities.

6.7.1.6 Provide an opportunity for each employee to discuss job problems and interests with his/her supervisor.

6.7.1.7 Assemble substantiating data for use as a guide, although not necessarily the sole governing factor, for such purposes as wage adjustments, promotions, disciplinary action, reassignment and termination.

6.7.2 Director of School Programs. The Board shall use a comprehensive annual process for the evaluation of the Director that is consistent with objectives agreed upon by the Board and the Director. Through this annual evaluation of the Director, the Board will strive to accomplish the following (see Appendix AW):

6.7.2.1 Clarify for the Director, priorities in the school as seen by the Board.

6.7.2.2 Establish clear expectations for the performance of the Director.

6.7.2.3 Clarify for all Board members, the role of the Director in the light of his/her job description and the immediate priorities among his/her responsibilities as agreed upon by the Board and the Director.

6.7.2.4 Maintain open communication between the Board and the Director.

6.7.2.5 Develop harmonious working relationships between the Board and the Director.

6.7.2.6 Provide a regular forum for the Board and the Director during which problems are discussed.

6.7.2.7 Provide effective administrative leadership for the school system.

6.7.2.8 Establish a set of goals for each calendar year by which the Director's performance will be measured.

6.7.2.9 Identify and share with the Director areas recognized by the Board as needing strengthened.

6.7.2.10 The Board will provide the Director with periodic opportunities to discuss Director-Board relationships, and will inform him/her, in writing, at least annually, of its assessment of his/her performance. **Policy.**

6.7.3 Other Administrators. It will be the responsibility of the Director to evaluate all other CTEA administrators annually. Such evaluation will be based on 1) the appropriate administrative position job description, and 2) in cooperation with the Director, Board, and administrator, an established a set of goals and objectives for each calendar year. The Director will report to the Board annually regarding the performance of administrative personnel (see Appendix AX).

6.7.4 Faculty. Chief Tahgee Elementary Academy believes that its students deserve the highest quality of instruction. To ensure quality instruction for every student, performance appraisal of all certified personnel is essential and is one of the CTEA's primary responsibilities to students, patrons, and staff. The purpose of the CTEA professional educator evaluation process is to provide quality instruction that aligns with the school's goals and objectives. In addition, this process is designed to promote professional learning that allows educators to continually grow and learn new techniques to improve their instructional practices and methods (See Appendix J).

6.7.5.1 Chief Tahgee Elementary Academy believes that effective professional appraisal reflects research-based standards; is systematic and continuous; embodies standards of excellence; is cooperatively developed between evaluator and evaluatee; is continually reviewed and refined to reflect the needs of the organization. Also, professional growth results from maximizing strengths and working on areas for growth; setting realistic goals; providing resources; defining responsibilities; establishing strategies for continuous improvement; fostering self

reflection; and monitoring performance. This information need not be reiterated for each employment category; a summary statement is sufficient.

6.7.5.2 In order to achieve these ends, CTEA has selected the “Framework for Teaching” by Charlotte Danielson as the basis for its appraisal system because it is researched-based and provides a clearly defined framework to help teachers improve their instruction. More specifically, the four (4) domains and twenty-two (22) specific components of the framework:

6.7.5.2.1 Enhances professional practice by seeking to identify principles of effective practice and classroom organization. Such principles maximize student learning and promote student engagement.

6.7.5.2.2 Provides a common vocabulary for discussions regarding professional excellence in teaching.

6.7.5.2.3 Provides clear expectations, via the rubrics, about what constitutes good teaching and serves as a guide for teachers striving to attain mastery teaching status.

6.7.5.2.4 Provide every teacher, via the rubrics, valuable feedback to guide their planning for effective instruction.

6.7.5.2.5 Provide evaluators, via Domains 2 and 3, clear guidelines to assess the components of effective teaching that are directly observable in the classroom setting.

6.7.5.2.6 Provide teachers and evaluators, via Domains 1 and 4, a vehicle for meaningful discussion on teaching skills not directly observable in the classroom. **Policy.**

6.7.5 *Paraprofessionals and Classified Employees.* Performance evaluation is an important aspect of personnel management because it facilitates growth and school improvement. The primary objective of CTEA performance evaluation process is employee development through methods that identify actions required to promote more effective job performance and maximize employee potential. The performance evaluation process incorporates not only a review of past performance, but also establishes performance goals and expectations for the future (See Appendix K: Paraprofessional Evaluation & Appendix L: Classified Employee Evaluation).

6.7.6.1 The CTEA evaluation will be an ongoing process and comments about individual performance will be communicated at the time of specific observation. A formal performance evaluation, however, is required on an annual basis for all classified employees.

6.7.6.2 Each evaluation will provide a documented record of the employee's job performance, a means of defining strengths and weaknesses in job performance, and an opportunity for communication between the Director and employee on the subjects of job requirements, work expectations, and potential for personal development. The performance evaluation will also specify the direction for work improvement, assures the employee that objective criteria are used in performance assessment, demonstrates that exceptional or unsatisfactory performance will be noted, and expresses CTEA's continuing appreciation of good performance. **Policy.**

6.7.6 Consultants, Independent Contractors, and Service Providers. Each consultant, independent contractor, and service provider who contracts with the district will be evaluated. The evaluations will be objective and based on established goals and objectives and will be conducted at the end of the contract term for contracts that have terms less than one (1) year and at the end of the fiscal year for contracts that have terms longer than one (1) years. The evaluation will be based on job performance as determined by the Director according to the agreed upon goals and objectives. The evaluation will be the major factor into whether the consultant, independent contractor, or service provider is offered a new contract. A written evaluation report will be utilized.

6.7.7.1 The Director will include in his/her report input from staff members and comments from customers and consumers who have worked with the consultant, independent contractor, or service provider.

6.7.7.2 The written evaluation will include a description of the work/service performed and if the consultant, independent contractor, or service provider adhered to the scope of services that are outlined in the contract. The Director will describe why or why not he/she was satisfied with the consultant's, independent contractor's, or service provider's performance. The evaluation will also include the Director's recommendation for contract renewal.

6.7.7.3 The evaluation report will be submitted to the Board within thirty (30) days of the above listed evaluation periods. **Policy.**

6.7.7 School Climate Surveys. In order to improve the performance of CTEA staff and students, the Director will administer a yearly school climate survey to measure the perceived experiences, attitudes, and opinions of students, staff and parents. These surveys will assess the perceptions of student motivation, the learning environment, instructor teaching methods and effectiveness, parent involvement, the effectiveness of the Director, and the quality of the CTEA as a whole. The Board has developed a preliminary list of key themes and questions on which these surveys will be based (See Appendix M).

6.7.8 Meta-evaluation. Meta-evaluation is "the evaluation of evaluations - indirectly, the evaluation of evaluators - and represents an ethical as well as a scientific obligation when the welfare of others is involved. The concept of meta-evaluation has been recognized as a means to increase the quality, validity, and effectiveness of internal and external quality assessment. CTEA meta-evaluation standards consist of 1) validity; 2) utility; 3) ethicality; 4) credibility; and 5) cost-effectiveness. Meta-evaluation should be part of an open dialogue between various parties in the evaluation process. Making evaluation as transparent as possible enhances the preconditions of organizational learning through meta-evaluation (See Appendix AZ & Appendix BA).

6.7.8.1 Chief Tahgee Elementary Academy's evaluation committee, consisting of all stakeholders (teacher, board member, parent, administrator, cultural liaison, fluent language speaker) will meet annually and on an as need basis to review the teacher evaluation plan, the professional development plan, and assess ongoing training needs for teachers and administrators on the evaluation model. The Director will review committee and staff input and conference twice annually with staff to monitor and evaluate the teacher evaluation model. Ongoing training and

professional development for administrators and teachers in the districts evaluation model and policy will be funded with a combination of federal, state and local resources.

6.7.9 Evaluation Professional Development. Ongoing, consistent, high quality training and professional development for administrators in evaluation methods and processes will be provided at least annually and as needed through available, workshops, seminars, consortia, and university course offerings.

6.7.9.1 Ongoing training and professional development for administrators and teachers regarding CTEA's evaluation standards, tools, and process will be provided bi-annually, during the first month of the school year, the month prior to the second semester, and on an as needed basis.

6.7.9.2 Ongoing professional development for administrators in evaluation methods and processes and for administrators and teachers on CTEA's evaluation standards, tools, and process will be funded through a combination of federal, state and local resources, to include but not limited to Title II Part A funds.

Although we realized the SDE required CTEA to develop the information highlighted above, and agree that it is valuable, this level of details is better suited to your policy/procedures manual than to the petition.

Section 6.8 – Personnel Files.

6.8.1 All employee certifications, transcripts, criminal background checks, contracts, professional development records, evaluations, and other records as required by law or deemed critical to the functions of CTEA will be kept securely on file in the main office of the school. Personnel files are not subject to public records requests. All employees will be provided a copy of his/her personnel file upon request; the file will be delivered within three (3) working days of the request. Policy.

TAB 7: Admission Procedures, School Climate, Student Health, and Student/Parent Handbook

Section 7.1 - Admission Procedures I.C. §§33-5205 (3)(j)

Section 7.2 - Waiting List I.C. §§33-5205 (3)(j)

Section 7.3 - Attendance Alternative I.C. §§33-5205 (3)(n)

Section 7.4 - Public Notification of Enrollment I.C. §§33-5205(3)(s)

Section 7.5 - Denial of School Attendance Requirements I.C. §§33-5205 (3)(i), §§33-205, §§33-206

Section 7.6 - Disciplinary Policy and Procedures I.C. §§33-5205 (3)(l), §§33-210

Section 7.7 - School Climate & Safety I.C. §§33-5205 (3)(h), §§33-210 (3), 08.02.03.160

7.7.1 Climate and Safety

7.7.2 Six Pillars of School Climate

7.7.3 Tobacco, Alcohol, and Controlled Substances

7.7.4 Drug and Alcohol Free School Zone

7.7.5 Weapon-Free Schools

7.7.6 Violence Prevention

7.7.7 Search and Seizure

7.7.8 Suicide Prevention

7.7.9 Crisis Management

7.7.10 Building and Student Safety

7.7.11 Unsafe School Choice Option Policy (Title IX, Part E. Subpart 2, Sec. 9532)

Section 7.8 - Health and Wellness I.C. §§33-5205(3)(h), 07.02.03.160

7.8.1 Health and Wellness

7.8.2 First Responder Training

7.8.3 Building Wellness

7.8.4 Health Records

7.8.5 Immunizations

7.8.6 Communicable Diseases

7.8.7 Medications

7.8.8 Emergency Care

Section 7.9 - Use of Technology Policy I.C. §§33-131(1)

Section 7.10 - Access to Student/Parent Handbook

Section 7.1 - Admission Procedures.

7.1.1 Admission Procedures. Chief Tahgee Elementary Academy will open in August of the 2013 school-year and be physically located within the boundaries delineated by Blackfoot School District #55. Chief Tahgee Elementary Academy will have a primary attendance area encompassing the areas identical to that of the Pocatello School District, Blackfoot School District, and entirety of the Fort Hall Indian Reservation. These students will be given priority as designated in I.C. §§33-5205(3) (j), however, students from other areas may be enrolled. In the initial year and for every year thereafter, CTEA will follow the model admission procedure identified by the Idaho State Board of Education in Rule 203. In accordance with Idaho Code §§33-5205(3)(i), the Board has adopted the following admission procedures to ensure a fair and equitable selection process for admission and enrollment in subsequent school years.

7.1.2 Enrollment Capacity. Redundant. Summarize in Tab 1 and explain in detail here. A matriculation cap of one hundred two (102) will be in effect for the first year (1) of operation, one hundred twenty-four (124) the second year (2), one hundred forty-six (146) in the third year (3) of operations, and one hundred sixty-eight (168) in the fourth (4) year. During the first year of operation, CTEA will cap enrollment in kindergarten at twenty-four (24) students and grades one (1) through six (6) at thirteen (13) students per grade; grades one/two, three/four, and five/six will be combined classes. In the second year of operation, there will be an enrollment cap of twenty (24) students in grades K-2 and thirteen for grades three (3) through six (6); grades three/four and five/six will remain combined classes. In the third (3) year, grades K-4 will have an enrollment cap of twenty-four (24) students and grades five (5) and six (6) will retain a cap of thirteen students; grades five/six will remain combined. In the fourth (4) year of operation [and beyond?], all grades will have an enrollment cap of twenty-four (24) students per grade. At that time the Board will evaluate and determine if it is viable for CTEA to further expand, **subject to ACE approval.**

7.1.3 Enrollment Deadline. Each year, the Board will establish an enrollment admissions deadline, which will be the date by which all written requests for admission to attend CTEA for the next school year must be received. The enrollment deadline cannot be changed once the enrollment information is disseminated.

7.1.4 Lottery. If the capacity of CTEA is insufficient to enroll all prospective students, a lottery will be utilized to determine which prospective students will be admitted. The lottery will identify the list of students accepted into CTEA and establish a waiting list order of entrance for the upcoming school year. All openings during the school year will be filled according to the order established by that lottery. The lottery will be held in a public forum and the Chair of the Board of Trustees, the Director, or official designee will oversee the lottery selection process.

7.1.5 Request for Admission. Request for admission will be taken continuously throughout the school-year. Requests for the fall semester of the next school-year must be received by an established enrollment deadline as indicated above. The application process prior to the enrollment deadline will be as follows:

7.1.5.1 A parent, guardian, acting custodian, or other person with legal authority to make decisions regarding school attendance on behalf of a child in this state, may make a written or electronic request for such child to attend the school.

7.1.5.2 A parent, guardian, acting custodian, or other person with legal authority to make decisions regarding school attendance on behalf of a child in the State of Idaho, may make a request in writing for such child to attend the CTEA. In the case of a family with more than one (1) child seeking to attend a public charter school, a single written request for admission must be submitted on behalf of all siblings.

7.1.5.3 The written request for admission will contain the name, grade level, address, e-mail address, telephone number, and last school attended of each prospective student in a family.

7.1.5.4 If the initial capacity of the school is insufficient to enroll all prospective students, then a lottery as described below will be utilized to determine which prospective students will be admitted to the public charter school. Only those requests for admission submitted on behalf of prospective students that are received prior to the enrollment deadline will be permitted in the lottery.

7.1.6 Admission Preferences. In accordance with Idaho Code §§33-5205(3)(j), CTEA has established the following initial enrollment and subsequent enrollment admission preferences criteria for students residing in the primary attendance area of CTEA, for children of founders and full-time employees, for siblings of students already enrolled in the school, for returning students, and students residing outside of the primary attendance area. For the purposes of this petition, the primary attendance area will refer to the area comprised both of the compact and contiguous area, which encompasses the areas identical to that of the Pocatello School District, Blackfoot School District, and entirety of the Fort Hall Indian Reservation. **Redundant. The primary attendance area need be described only once, in Tab 2.**

7.1.6.1 Initial Year of Enrollment. . If the initial capacity of CTEA is insufficient to enroll all prospective students, a lottery will be utilized to determine which prospective students will be admitted. The selection hierarchy for admissions will be established and prioritized as listed:

7.1.6.1.1 Chief Tahgee Elementary Academy founders' children will have first preference for admission to the school, with a maximum of 10% of the initial capacity consisting of founders' children.

7.1.6.1.2 siblings of pupils already selected by the lottery,

7.1.6.1.3 children of full-time employees, **If CTEA wishes to offer this preference, it must be included within the founders' preference and subject to the 10% limit; it is not a separate category.**

7.1.6.1.4 prospective students within the primary attendance area, and

7.1.6.1.5 to all other students residing outside the primary attendance area.

7.1.6.2 Second and Subsequent Years of Enrollment. If the capacity of CTEA is insufficient to enroll all prospective students in subsequent years of enrollment, a lottery will be utilized to determine which prospective students will be admitted. The selection hierarchy for admissions will be established and prioritized as listed:

- 7.1.6.2.1 returning students are automatically enrolled
- 7.1.6.2.2 children of founders, provided that this admission preference will be limited to not more than ten percent (10%) of the capacity,
- 7.1.6.2.3 siblings of pupils already attending,
- 7.1.6.2.4 children of full-time employees, **If CTEA wishes to offer this preference, it must be included within the founders' preference and subject to the 10% limit; it is not a separate category.**
- 7.1.6.2.5 students within the primary attendance area, and
- 7.1.6.2.6 all other students residing outside of the primary attendance area.

7.1.7 Placement. Initially, applications will be drawn for placement using the Equitable Selection Process outlined in Subsection 203.09 of the Administrative Rules Governing Charter Schools. The process will begin with a randomly drawn grade and continue with randomly selected grades. **Note that the relevant section of rule is outdated and does not reflect all preferences now permitted by statute.**

There is no need to reiterate statute/rule. Incorporate by reference.

7.1.8 Proposed Attendance List for Lottery. Each year, CTEA will create an attendance list containing the names of all prospective students on whose behalf a written request for admission was timely received by the public charter school, separated by grade level. The proposed attendance list will contain columns next to the name of each student, in which the public charter school will designate admission preferences applicable to each prospective student. The columns will be designated "A" for returning student preference; "B" for founders preference; "C" for sibling preference, with a corresponding cross-reference to each of the siblings of the prospective student; "D" for children of employees; and "E" for attendance area preference.

7.1.9 Equitable Selection. If the capacity of CTEA is insufficient to enroll all prospective students, a lottery will be utilized to determine which prospective students will be admitted. The lottery will identify the list of students accepted into CTEA and establish a waiting list order of entrance for the upcoming school year. All openings during the school year will be filled according to the order established by that lottery. The lottery will be held in a public forum and the Chairperson of the Board of Trustees, the Director, or official designee will oversee the lottery selection process.

7.1.9.1 The name of each prospective student on the proposed attendance list will be individually affixed to or written on a three by five (3 x 5) inch index card or other similar but equal media. The index cards will be separated by grade. The selection procedure will be conducted one (1) grade level at a time, with the order for each grade level selected randomly. The index cards containing the names of the prospective students for the grade level being selected will be placed into a single container.

7.1.9.2 A neutral, third party will draw the grade level to be completed first and then draw each index card from the container for that grade level, and such person will write the selection number on each index card as drawn, beginning with the numeral “1” and continuing sequentially thereafter. In addition, after selecting each index card, the name of the person selected will be compared to the proposed attendance list to determine whether any preferences are applicable to such person.

7.1.9.3 If the name of the person selected is a returning student, then the letter “A” will be written on such index card. If the name of the person selected is the child of a founder, the letter “B” will be written on such index card. If the name of the person selected is the sibling of another student that has already been selected for admission to the public charter school, then the letter “C” will be written on such index card. For children of employees of the school a letter “D” will be written on an index card. If the name of the person selected resides in the attendance area, then the letter “E” will be written on the card.

7.1.9.4 With regard to the sibling preference, if the name of the person selected has a sibling in a higher grade who has already been selected, but the person previously selected did not have the letter “C” written on his or her index card (because a sibling had not been selected for admission prior to the selection of the index card of that person), then the letter “C” will now be written on that person’s index card at this time.

7.1.9.5 With regard to the founder’s preference, a running tally will be kept during the course of the selection procedure of the number of index cards, in the aggregate, that have been marked with the letter “B.” When the number of index cards marked with the letter “B” equals ten percent (10%) of the proposed capacity of the public charter school for the school year at issue, then no additional index cards will be marked with the letter “B,” even if such person selected would otherwise be eligible for the founders’ preference.

7.1.9.6 After all index cards have been selected for each grade, the cards will be sorted for each grade level in accordance with the following procedure: All index cards with the letter “A” will be sorted first, based on the chronological order of the selection number written on each index card; followed by all index cards with the letter “B,” based on the chronological order of the selection number written on each index card; followed by all index cards with the letter “C,” based on the chronological order of the selection number written on each index card; followed by all index cards with the letter “D” based on the chronological order of the selection number written on each index card; followed by all index cards with the letter “E” based on the chronological order of the selection number written on each index card; followed, finally, by all index cards containing no letters, based on the chronological order of the selection number written on each index card.

7.1.9.7 After the index cards have been drawn and sorted for all grade levels, the names will be transferred by grade level, and in such order as preferences apply, to the final selection list.

7.1.10 Notification and Acceptance. Chief Tahgee Elementary Academy has established the following procedures for notification and acceptance:

7.1.10.1 Students selected for admission to CTEA will be officially notified, within seven (7) days after conducting the selection process. Chief Tahgee Elementary Academy will send an offer letter to the parent, guardian, or other person who submitted a written request for admission on behalf of a student. The notification will advise such person that the student has been selected for admission to the school. The offer letter must be signed by such student's parent, or guardian, and returned to CTEA by the date designated in such offer letter by the school.

7.1.10.2 Students not eligible for admission to CTEA will be officially notified within seven (7) days after conducting the selection process. Chief Tahgee Elementary Academy will send a letter to the parent, guardian, or other person who submitted a request for admission on behalf of such student. The notification will advise such person that the prospective student is not eligible for admission, but will be placed on a waiting list and may be eligible for admission at a later date if a seat becomes available.

7.1.10.3 If a parent, guardian, or other person receives an offer letter on behalf of a student and declines admission, or fails to timely sign and return such offer by the date designated in such offer, then the name of such student will be stricken from the final selection list, and the seat that opens in that grade will be made available to the next eligible student on the final selection list. If a student withdraws from the CTEA during the school year for any reason, then the seat that opens in that grade will be made available to the next eligible student on the final selection list.

7.1.11 Equality. Prospective students will be given the opportunity to enroll regardless of race, color, national or ethnic origin, religion, sex, social or economic status, or special needs as delineated and required by Idaho Code §§33-5205(3)(j). No out-of-state students will be allowed to be enrolled until an Idaho residence has been established and verified.

Section 7.2 – Waiting Lists.

7.2.1 Once the enrollment period is complete and a waiting list for each grade level has been established through lottery as described above, the remaining students will be placed on the appropriate waiting list for their grade level in order of lottery selection and offered admission for the upcoming school year as seats become available. Subsequent applications will be added to the **bottom of the list for the** appropriate grade level waiting list on a first come-first served basis and will be taken in numerical order from this list. Once on a waiting list, students will remain eligible for placement within the school throughout the entire school year for which they applied. There will be no carryover from year to year of the waiting lists maintained to fill vacancies at the school. All waiting lists will be redrawn and renewed annually according to Idaho Code §§33-5205(3)(j). Parents/guardians wishing to remove their child from the waiting list must make their request directly to CTEA via e-mail, telephone, or in writing.

Section 7.3 - Public School Attendance Alternative.

- Since Chief Tahgee Elementary Academy is a new entity and not a conversion of an existing school, the attendance alternative would be the same as for those presently residing within the aforementioned contiguous attendance area boundaries of the Pocatello School District, Blackfoot School District, and entirety of the Fort Hall Indian Reservation.

Students located within the attendance area of CTEA will have the option to enroll in existing public schools presently serving the area. Since enrollment is not mandated based upon residential proximity to the school, but through parental choice and equitable selection, no student will be required to attend CTEA.

Section 7.4 - Enrollment Opportunities.

7.4.1 It is the intent of the Board of Trustees to create a diverse and socially balanced educational environment for the students and employees of CTEA. Consequently, the school will recruit and provide the opportunity for students to enroll regardless of race, color, national or ethnic origin, religion, sex, social or economic status, or special needs. Moreover, advertisement for enrollment opportunities at CTEA will include all current requirements as delineated in Idaho Code §§33-5205(3)(s) and ensure that such announcements are broadcast and/or published by local media outlets on not less than three (3) occasions, beginning no later than fourteen (14) days prior to the enrollment deadline each year. Likewise, taking into consideration the language demographics of the area, all advertisement will be disseminated in English, Spanish, and other languages as deemed appropriate. These efforts may also include, but are not limited to, the school website and social networking sites, advertising at community centers (e.g., library), public forums, the school newsletter, flyers and brochures, local new organizations, and/or notifications sent home with students.

Section 7.5 - Denial of School Attendance Requirements.

7.5.1 Idaho Law provides for denial of school attendance in Idaho Code §§33-205, "Denial of school attendance at any of its schools, by suspension or expulsion, to any pupil who is a habitual truant or who is incorrigible, or whose conduct in the judgment of the Board, is such as to be continuously disruptive of school discipline, or of the instructional effectiveness of the school. Any pupil having been suspended or expelled may be readmitted to the school by the Board of Trustees upon such reasonable conditions as may be prescribed by the Board; but such readmission will not prevent the Board from again suspending or expelling such pupil for cause." **Incorporate by reference.** Consequently, the Board will have the right to deny enrollment to any student, determine the readmission of any student suspended or expelled, and determine the admission of any student who has been denied admission as governed by the aforementioned Idaho Code. The Board considers the following as some examples of disruptive actions and justification for denial of attendance:

7.5.1.1 Bullying & Harassment. Verbal harassment and inappropriate physical contact with another student.

7.5.1.2 Computer Intrusion or Misuse. Unauthorized use of school technology to access protected materials, such as personnel files and student records.

7.5.1.3 Controlled Substances. Possession or use of any controlled substances by students, such as drugs, alcohol, or tobacco, is not permitted on school property.

7.5.1.4 Detriment to Health & Safety. The actions of the student become a detriment to the health and safety of other students, employees, or school as a whole.

7.5.1.5 Expulsion. Expelled from any other school.

7.5.1.6 Fighting. Aggressive behavior in a threatening way or fighting.

- 7.5.1.7 **Gambling.** Gambling or possessing gambling devices.
- 7.5.1.8 **Gangs and Gang Activity.** No person, group, or organization may establish any secret organization whose active membership requires lascivious, unethical, and/or illegal activities.
- 7.5.1.9 **Habitual Truancy.** The act, condition, and habit of being absent without permission.
- 7.5.1.10 **Hazing.** No students may humiliate another or require unnecessary tasks by using coercion of any type.
- 7.5.1.11 **Incorrigibility.** Unruly and/or unmanageable behavior.
- 7.5.1.12 **Insubordination.** Noncompliance with any reasonable request of school faculty or staff.
- 7.5.1.13 **Lascivious Literature.** Distributing or possessing lascivious materials on school grounds or during school activities.
- 7.5.1.14 **Other.** Other actions or condition deemed by the Board as disruptive of school discipline or instructional effectiveness.
- 7.5.1.15 **Profanity.** Using profane and vulgar language.
- 7.5.1.16 **Scholastic Dishonesty (cheating/plagiarism).** Cheating on assignments and tests and/or plagiarizing another's material.
- 7.5.1.17 **Tardiness.** Habitual tardiness to classes.
- 7.5.1.18 **Unsafe Behavior.** Potentially dangerous and harassing actions on school grounds, buses, or at school activities.

Handbook.

Section 7.6 - Discipline Policy and Procedures. Chief Tahgee Elementary Academy has established the following procedures as required by Idaho Code §§33-5205 (3)(j) and §§33-205. The disciplinary actions may be taken by the Director or designee. Since all discipline is intended to modify behavior and should fit the misbehavior, these actions are suggestive and not necessarily conclusive nor sequential. In all disciplinary matters, students and parents have the right to due process and to appeal decisions to the next higher level of governance. Chief Tahgee Elementary Academy has formally adopted and will review annually its student discipline policies. (See Appendix G: Student Discipline Policy for Students with Disabilities & Appendix N: Student Discipline Policy)

7.6.1. Discipline Tier I – Contact, Conference, & Guidance. The first step in the disciplinary process for *all* students can include one or more of the actions listed below as deemed appropriate by the Director or designee. **Detail in this section may be reduced in the body of the petition but included in the handbook. It should not be included in both places.**

7.6.1.1. Conference/Contact with Parents. The Director or designee will arrange a meeting or telephone conversation with the student's parent(s) or legal guardian and/or school personnel to discuss the student's behavior or learning process. Chief Tahgee Elementary Academy will seek the assistance of the student's parent(s) or legal guardian(s) in helping the student.

7.6.1.2. Contact with Student. The Director or designee will contact the student and inform him/her of the infraction. The student must agree to comply with required behavior management. **The petition cannot obligate third parties.**

- 7.6.1.3. **Detention.** The Director or designee will require that a student remain in during lunch or after school for a period of time. The student is obligated to bring materials to the detention area to work on to improve his/her academic achievement at school.
- 7.6.1.4. **Guidance.** The Director or designee will arrange for a conversation between the student and the school personnel. The purpose of this meeting is to inform him/her that his/her behavior needs to change so that he/she does not violate the rights of others and to establish a written plan to help the student improve his/her learning capabilities.
- 7.6.1.5. **Rearrangement of School Schedule.** The Director or designee may have a student assigned a new schedule of classes and/or teachers when the behavior of the student is such that the student has not conducted himself/herself in an acceptable manner. **This provision appears relevant to high school, but not to elementary.**
- 7.6.1.6. **Restriction of Free Time and/or Extracurricular Activities.** The Director or designee may inform a student that he/she cannot participate in certain activities because of his/her past or present behavior.
- 7.6.1.7. **School Clean-up.** The Director or designee may require a student to clean up certain areas of the school.

7.6.2 **Discipline Tier II – Suspension.** Students who cannot abide by school regulations and policies of CTEA, and who disrupt the educational atmosphere or interfere with the educational processes of the school, may be suspended for a temporary period of time. As per Idaho Code §§33-205, the following limitations will apply to all suspensions:

7.6.2.1 **In-school Suspension.** In-school suspension is defined as temporary removal from a class or activity.

7.6.2.1.1 Removal of student from class or classes and temporary placement in a more restrictive in-school location.

7.6.2.1.2 Suspension from a class may be initiated by the classroom teacher or other member of the faculty with concurrence of the principal. Verbal and written notification to parents or legal guardian will be provided by the Director or designee.

7.6.2.1.3 Suspension from one or more classes may be initiated by the Director provided that verbal and written notification is given to the parents, guardians, or acting custodians in a timely fashion.

7.6.2.1.4 Students will be given credit for assignments completed during supervised in-school suspension.

7.6.2.2 **Friday School.** Friday School is defined as in-school suspension. It is a supervised study session held on Fridays as an alternative to out-of-school suspension.

7.6.2.2.1 Friday School suspension may be initiated by the classroom teacher or other faculty member with concurrence of the Director. Verbal and written notification to parents, legal guardians, or acting custodians will be provided by the Director or designee.

7.6.2.2.2 Friday School suspension from one or more classes may be initiated by the Director, building principal, or designee provided that verbal and written notification is given to the parents, legal guardians, or acting custodians in a timely fashion.

7.6.2.2.3 Students will be given credit for assignments completed during supervised Friday School suspensions.

7.6.2.3 *Out-of-school Suspension.* Out-of-school suspension is defined as temporary removal from the school premises.

7.6.2.3.1 No student will be suspended from a school by a school administrator for more than five (5) consecutive days for each offense.

7.6.2.3.2 School administrators may suspend students for up to five (5) days, and Boards of Trustees may suspend students for up to seven (7) calendar days.

7.6.2.3.3 Students may not be allowed make-up privileges for assignments missed as a result of being suspended out-of-school.

The procedures the school will use to suspend a student need to be outlined including parent and student notification.

7.6.3 *Discipline Tier III – Expulsion*

7.6.3.1 Expulsion is a very serious action to be taken against a student and should not be recommended unless all resources and processes have been exhausted. No recommendation for expulsion will be made until all necessary investigations and conferences have been held at the school building level.

7.6.3.2 All expulsions are under the jurisdiction of the Board of Trustees and will be governed in accordance with the due process procedures. Any decision by the Board of Trustees regarding an expulsion will require that 1) a quorum of the Board be present and 2) such decision be made by vote that constitute a majority of those voting.

Please outline the procedures that will be followed to expel a student including student and parent notification and rights.

7.6.4 *Suspension of Students with Disabilities.* Students with disabilities may not be suspended unless the continued presence of the exceptional student in school poses a danger to himself/herself, other persons, or property, or unless there is a serious disruption of the educational process.

7.6.4.1 Examples of such situations are: physical assault, or threatened assault on a teacher or another student; action taking place on school property of a criminal nature; or continuous disruptive conduct which the school has attempted and failed to control through documented changes in the child's educational program/placement.

7.6.4.2 Students with disabilities may be suspended so long as:

7.6.4.2.1 Written notice is given to the parent, guardian, or acting custodian and administrator(s) of the exceptional student describing the grounds for the suspension and a brief statement of the facts.

7.6.4.2.2 A Child Study Team meeting (due process hearing) is called to meet within five (5) school days, to review the student's Individual Education Program and to establish a satisfactory plan for readmission or alternative education.

7.6.4.3. *Ten-day Disciplinary Removal*

7.6.4.3.1 Chief Tahgee Elementary Academy personnel may order a disciplinary removal of a student with disabilities for not more than ten (10) cumulative school days per infraction to the extent suspension would apply to students without disabilities.

7.6.4.3.2 Cumulative suspensions, if over 10 school days in a school year must not constitute a significant change in placement.

7.6.4.3.3 In determining whether a significant change in placement has occurred, CTEA personnel, through the multi-disciplinary team process, will review whether the student is subjected to a series of removals that constitute a pattern of exclusion because they cumulate to more than ten (10) school days in a school year, and because the length of each removal, the total amount of time the child is removed, and the proximity of the removals to one another indicate such a pattern of exclusion.

7.6.4.3.4 Any time a student is suspended for more than ten (10) school days in a school year the student will be provided services to the extent necessary to enable the student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out on his or her IEP, as determined by CTEA personnel, in consultation with the student's special education teacher or as determined by the student's IEP Team.

7.6.4.4 *Forty-five Day Disciplinary Removal*

7.6.4.4.1 The Director or designee may order a change in placement of a student with a disability to an appropriate interim alternative educational setting, as determined by the IEP Team, for the same amount of time that a student without a disability would be subject to discipline, but for not more than forty-five (45) days if:

7.6.4.4.1.1 The student carries or possesses a weapon to or at school, on school premises, or to a school function. This term does not include a pocket knife with a blade of less than two and one-half (2 1/2) inches in length.

7.6.4.4.1.2 The student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function.

7.6.4.4.2 School personnel may request a change in placement to an appropriate interim alternative educational setting from a hearing officer for not more than forty-five days if it is determined by personnel that a student with a

disability is substantially likely to cause injury to himself/herself, or to others in the current educational placement.

7.6.4.4.3 School personnel may petition the court for an injunction to remove any student with a disability from school or to change the student's current educational placement if personnel believe that maintaining the student in the current educational placement is substantially likely to result in injury to the student or to others.

7.6.5 *Expulsion of Special Education Students.* An exceptional pupil may not be expelled unless the student's continued presence in school presents a danger to himself/herself, other persons, or property. **Please keep all special education discipline info in a single section.**

7.6.5.1 Examples of emergency situations are: physical assault or threatened assault on a teacher or another student; action taking place on school property of a criminal nature; or continuous disruptive conduct which the school has attempted and failed to control through documented changes in the child's educational program/placement.

7.6.5.2 If a student on an Individualized Education Program (IEP) is expelled from school after a manifestation determination has found that the student's behavior was not a manifestation of the student's disability, educational services, consisting of services necessary to enable the student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the student's IEP will be provided to that student at an alternative setting.

7.6.5.3 If it is the judgment of the Child Study Team that a situation exists that a school provided or supported educational program is not possible, expulsion may be recommended to the Board of Trustees.

7.6.5.4 After being informed of the situation, the Board of Trustees will schedule the necessary due process hearing as outlined.

7.6.5.5 Within ten (10) calendar days following written notice of expulsion to the parent or guardian of the exceptional pupil, the Child Study Team will meet to review the exceptional pupil's IEP to include appropriate educational goals that can be carried out in a correctional or rehabilitative setting. The school district's individual education program for the exceptional pupil will be presented to the court for determining an appropriate placement following expulsion.

7.6.6 *Manifest Determination.* Prior to submitting an expulsion recommendation to the Board of Trustees for a student with a disability, the IEP Team will conduct a manifestation determination. A manifestation determination will occur within ten (10) school days after the date on which a decision was made to recommend the expulsion.

7.6.7 *Students with Section 504 Disabilities.* This section addresses disciplining students with disabilities as defined by Section 504 of the 1973 Rehabilitation Act. For those students with disabilities under the Individuals with Disabilities Education Act (IDEA), the

disciplinary procedures required by the IDEA will be followed. In the event a student has disabilities under both Section 504 and the IDEA, both policies will be followed in determining appropriate disciplinary actions.

7.6.7.1. Suspension. A student with a disability, as defined by Section 504 of the 1973 Rehabilitation Act, may be suspended for not more than ten (10) consecutive school days per incident.

7.6.7.1.1. Whenever a school considers suspending a student with a disability for more than ten (10) cumulative school days in a school year, a Multi-Disciplinary Team (MDT) will be convened to determine if the cumulative suspensions constitute a significant change in placement by reviewing the following factors:

7.6.7.1.1.1. The length of each suspension;

7.6.7.1.1.2. The proximity of the suspension to one another; and

7.6.7.1.1.3. The total amount of time the student is excluded from school.

7.6.7.1.2. The MDT will consist of individuals who are knowledgeable about the student, the student's school history, the student's individual needs, the evaluation data, and the placement options. If the MDT determines that the exclusion would constitute a significant change in placement, the school will conduct a manifestation determination as set forth below.

7.6.7.2. Expulsion. Prior to submitting an expulsion recommendation to the school Board for any student with a disability as defined by Section 504 of the 1973 Rehabilitation Act, an MDT will make a "manifestation determination." A manifestation determination involves a review of the student's misconduct, the student's disability and the services provided to determine: 1) Is the misconduct a manifestation, or result, of an inappropriate placement or educational program for the student? 2) Is the misconduct a manifestation, or result, of the student's disability?

7.6.7.2.1. In reviewing the questions set forth above, the MDT will review information regarding the student's disability that is recent enough to afford an understanding of the student's current behavior. In the absence of reasonably current information about the student's disability, the Trustee will conduct or cause to be conducted additional evaluation(s) regarding the student's disability before making the manifestation determination. If either manifestation determination question answer is "yes," the student will not be expelled.

7.6.7.2.2. However, the MDT may determine that a placement change is necessary for that student.

7.6.7.2.3. If the answers to both the questions set forth above are "no," the school may proceed with the recommendation of expulsion to the Board in the same manner as for similarly-situated students who do not have disabilities.

- 7.6.7.2.4. If the student's parent/guardian disagrees with the MDT's determination of the manifestation determination, a hearing may be requested with the Board of Trustees.
- 7.6.7.2.5. Although the parent/guardian may disagree with the manifestation determination findings, the student may be expelled after following the proper procedures. Educational services may cease after expulsion.

It appears that sections 7.6.5 through 7.6.7 could be combined as the procedures for special education and students on 504 plans are basically the same.

- 7.6.8 **Readmission.** Readmission of any student suspended or expelled, or admission of any student who has been denied admission will be governed by Section 33-205, Idaho Code. Students who have been expelled from CTEA will be eligible for readmission after (1) year, 12 calendar months.
- 7.6.9 **Due Process.** As delineated by federal regulations and Idaho Code §§33-205, all students will be accorded rights as guaranteed under the constitution and all disciplinary action will be addressed according to reasonable due process rights of all parties involved. Chief Tahgee Elementary Academy has adopted a Student Due Process Policy to protect individual rights (See Appendix O).

Section 7.7 - School Climate & Safety.

- 7.7.1 **Climate & Safety.** The Board of Trustees recognizes that school climate and safety is a critical component in the learning process; it facilitates academic scholarship, personal development, positive interpersonal relationships, psychological wellness, and security. To ensure the safety of our employees and students, CTEA will comply with the following school climate, safety, and risk management policies and procedures. All school climate and safety policies will be reviewed annually and available on the CTEA website, included in the Student/Parent Handbook provided upon enrollment, and noted during student orientation.

7.7.2 Six Pillars of School Climate. The Board will develop and maintain policies structured around the following six pillars; these underlying principles collectively represent the fundamental attitudes, values, and beliefs expectedly evidenced by all parents, families, teachers, students, and staff.

7.7.2.1 Pillar I - The Director will incorporate positive behavioral conduct codes and conflict mediation tools to promote an educational environment designed to keep students in school and learning.

7.7.2.2 Pillar II - The Director is charged with the obligation to provide a climate that is free from harassment, discrimination, and abuse within academic, emotional, social, and physical domains.

7.7.2.3 Pillar III - The Director will ensure that the physical plant, buses, equipment, and all supportive resources are accessible to all, meet current standards, are modern, and project a welcoming, clean, and safe appearance.

7.7.2.4 Pillar IV - The Director is responsible for providing opportunities involving meaningful student participation and peer-facilitated activities.

7.7.2.5 Pillar V - The Director is accountable for establishing and promoting educational, extracurricular, and vocational partnerships designed to promote the academic achievement, and emotional, social, and physical well-being among its pupils and their families.

7.7.2.6 Pillar VI - The Director will provide for the continuous professional development, education and training of the faculty and staff to ensure their expertise continually represents contemporary best practices and exemplary knowledge of the education field. **Tab 6?**

7.7.3 Tobacco, Alcohol, and Controlled Substances. In accordance with Federal regulations established by the Drug Free Workplace Act of 1988, CTEA will comply with Idaho Code §§33-210 and maintain a drug free environment. The following procedures are included in the CTEA Tobacco, Alcohol, and Controlled Substance Policy (See Appendix P).

7.7.3.1 Anonymity. This policy includes provisions for anonymity in that when a student or staff member voluntarily discloses use or being under the influence, information will be shared only on a “need to know” basis as provided in Idaho Code §§33-210.

7.7.3.2 Discovery and Investigation. It is the policy of CTEA that any staff member who has reasonable suspicion that a student may be under the influence of, or has in his/her possession, a controlled or dangerous substance as defined by law immediately will notify the appropriate administrator or designee of such suspicions. The administrator or designee will immediately investigate the allegation, and if confirmed, will take the appropriate disciplinary measures. These may include, but are not limited, to the following:

- 7.7.3.2.1 Contacting the parents/guardians/acting custodians
- 7.7.3.2.2 Contacting law enforcement
- 7.7.3.2.3 Referral to school counselor
- 7.7.3.2.4 Referral to an outside agency for chemical dependency assessment
- 7.7.3.2.5 Suspension from school
- 7.7.3.2.6 Expulsion from school

7.7.3.3 Notifications. When a student is suspected of being in violation of federal, state, or local law for possession or use of any illegal drug, controlled substance, tobacco, or alcohol, the parents, guardians, or acting custodians will be contacted immediately and local law enforcement agency may be notified. When a student is suspected of being in violation of federal, state, or local laws for trafficking of alcohol or drugs, the parents, guardians, or acting custodians and law enforcement will be contacted immediately. The administrator or a designee will communicate

all available information to the police and offer the full cooperation of the administration and staff in a police investigation.

Again, this level of detail is excessive and should be moved to the handbook and/or policies.

7.7.3.4 Disciplinary Procedures. If a student discloses or is reasonably suspected of being under the influence of alcohol or controlled substances, sells or distributes, or possesses drug paraphernalia, drugs, alcohol, tobacco, or other mood altering substances in school, on or adjacent to school property, or at school functions, CTEA will comply with the procedures required by Idaho Code §§33-210 and school policy and procedures.

7.7.3.4.1 First Offense for Use or Possession

Contact the parents/guardians/acting custodians.
Law enforcement may be contacted.
Referral to school counselor
Suspension from school as determined appropriate by the Director or designee.

7.7.3.4.2 Second Offense for Use or Possession

Contact the parents/guardians/acting custodians.
Law enforcement may be contacted.
Referral to school counselor.
Referral to an outside agency for chemical dependency assessment and treatment.
Suspension from school for five (5) days.
School Board may be petitioned for expulsion of student.

7.7.3.4.3 Third Offense for Use or Possession

Contact the parents/guardians/acting custodians.
Law enforcement will be contacted.
Suspension from school.
School Board will be petitioned for expulsion of student.

7.7.3.4.4 First Offense for Trafficking

Law enforcement agency will be contacted.
Parents/guardians/acting custodians will be contacted.
Student will be suspended.
School Board will be petitioned for expulsion.

7.7.3.5 Interrogation. The Board authorizes the Director or designee to interrogate any student suspected of the possession, use, or trafficking of tobacco, alcohol, drugs, or controlled substances. Individual pupils may not be interrogated by any person, except an employee of the school, without the approval of the Director. Officials representing the Idaho Department of Health and Welfare will be allowed access to students upon proper notification to the Director. No administrator will grant such an interview unless he/she deems it essential to the welfare of the child, to the immediate health and safety of others,

as may be required by court order, or as authorized by parent, guardian, or acting custodian of the student in advance of the interview.

7.7.3.6 *Due Process.* As delineated by federal regulations and Idaho Code §§33-205, all students will be accorded rights as guaranteed under the constitution and all disciplinary action will be addressed according to reasonable due process rights of all parties involved. Chief Tahgee Elementary Academy has adopted a Student Due Process Policy to protect individual rights (See Appendix O).

7.7.4 *Drug & Alcohol Free School Zone.* The abuse of alcohol and/or drugs is a serious threat to the school, its employees and students. The Board realizes that administration and staff are equally responsible for maintaining a safe and healthy working and learning environment. For that reason, and in compliance with the Federal Regulations established by the Drug Free Workplace Act of 1988, the school has adopted a Drug and Alcohol Free Zone Policy prohibiting employees and visitors from manufacturing, purchasing, consuming, possessing, and/or trafficking drugs or alcohol on school premises or CTEA sponsored events regardless of the location (See Appendix Q).

7.7.4.1 *Due Process.* As delineated by Federal Regulations and Idaho Code §§33-205, all disciplinary action will be addressed according to reasonable due process rights of all parties involved. All employees will be accorded rights as guaranteed under the constitution. Chief Tahgee Elementary Academy has adopted a Personnel Due Process Policy to protect individual rights (See Appendix R).

[fix spacing above]

7.7.5 *Weapons-Free Schools.* In order to facilitate learning to the greatest extent, the Board of Trustees is committed to creating a safe and secure environment for all students, staff and visitors. Although no absolute guarantee of eliminating all threats to individual safety can be assured, the Board directs the administration to reduce and minimize safety risks through the implementation of its Weapons Policy (See Appendix S).

7.7.6 *Search & Seizure.* In order to promote the safety and security of all students, staff, and employees and sustain a quality education environment, the Board reserves the right to search all school property under its direct jurisdiction and exclusive control. Said property includes, but is not limited to, buildings, equipment, buses, grounds, and other physical settings (See Appendix T). Policy.

7.7.7 *Violence Prevention.* The Board is committed to maintaining a learning environment which is free from violence of any kind, including but not limited to bullying, intimidation, hazing, and harassment. The Board, its employees, students, and people within school communities all have an obligation to promote, monitor, and maintain a violence-, bullying-, intimidation-, hazing-, and harassment-free learning environment. No violence, bullying, intimidating, hazing, and/or harassment on the basis of race, sex, color, creed, religion, ancestry, national origin, age, physical, mental, emotional or learning disability, arrest or conviction record, pregnancy, marital status, parental status, sexual orientation, and/or political affiliation will be allowed.

7.7.7.1 Student Violence Prevention Policy. The Board has adopted a Student Violence Prevention Policy in which it authorizes the Director to maintain an environment that is positive and is respectful of every individual and to provide education to its students and employees to meet this end. Violence, bullying, intimidation, hazing, and harassment in the learning environment is not acceptable under any conditions, and any student who violates this policy may be subject to remedial or disciplinary action, up to and including expulsion from school. (See Appendix U).

7.7.7.2 Employee & Public Violence Prevention Policy. The Board has developed an Employee and Public Violence Prevention Policy in which it authorizes the Director to maintain an environment that is positive and is respectful of every individual and to provide education to its students and employees to meet this end. Violence, bullying, intimidation, hazing, and harassment in the learning environment is not acceptable under any conditions, and any employee who violates this policy may be subject to disciplinary action, up to and including termination. (See Appendix V). Policy.

7.7.8 Suicide Prevention. Mental, emotional, and social well-being are foundations for building good health. These foundations include a sense of security, identity, belonging, purpose and competence in order to strive toward a healthy and productive life. Chief Tahgee Elementary Academy is concerned with the health and safety of all its students; consequently, in order to protect students from suicidal tendencies and in compliance with Idaho Code 08.02.03.160, the Board authorizes ~~the following procedures through it's~~ a Suicide Prevention Policy (See Appendix W).

7.7.8.1 Procedures. Chief Tahgee Elementary Academy will develop and annually review procedures that:

- 7.7.8.1.1** coordinate and maintain a school based crisis team;
- 7.7.8.1.2** identify and respond to students at risk for suicide in a prescribed manner while keeping both the student and classmates safe;
- 7.7.8.1.3** set up pre-arranged building contact(s) for the preliminary assessment of the student;
- 7.7.8.1.4** refer students at risk to recognized mental health programs which may include emergency personnel (ambulance and/or police) and designate people who make calls to these agencies and to parent/guardians;
- 7.7.8.1.5** have a pre-determined documentation plan, which must include dates and times of parent/guardian contacts and their responses;
- 7.7.8.1.6** help students integrate safely back into the school setting when appropriate monitor the student after integration; and
- 7.7.8.1.7** provide school or staff support if needed

[Please include in handbook and policy manual rather than in the petition. Also if it is included in the appendices there is no need to repeat the information in the body of the petition.]

7.7.8.2 Suicide Crisis Plan.

- 7.7.8.2.1 Any staff member who has knowledge or suspects a student of suicidal tendencies will notify the Director or designee who will contact the parents, law enforcement, counselor, emergency medical professionals, and/or other crisis service providers.
- 7.7.8.2.2 The Director or designee will mobilize the school-based crisis team, establish communication with the parents or guardians to determine intervention steps, discuss how the school might be helpful and supportive to the students and family, and address how the family would like the situation announced at school.
- 7.7.8.2.3 With support from a community crisis service provider and in consultation with the family, the Director or designee will inform the staff of the facts and help the staff address the reactions of other students and the family.
- 7.7.8.2.4 The Director or designee will then establish a plan for periodic contact with the student.
- 7.7.8.2.5 The Director or designee will make arrangements for all class work assignments to be completed at home and determine how to help the student complete his/her school requirements. **Policy/procedure.**

7.7.9 Crisis Management. The Board of Trustees recognizes schools need to be prepared to handle a crisis involving a student, a staff member, or the school. While CTEA's main function is to educate, the safety of staff and student body is of paramount concern. In order to help prevent suicide and other severe acts of violence, the Board authorizes the Director to implement the procedures and programs delineated in its Crisis Management Policy (See Appendix X).

7.7.10 Building and Student Safety. The safety of every student, employee, and visitors is a matter of the highest priority to the Board of Trustees, the administration, faculty, and staff. In order to maximize learning opportunities, a safe and secure environment is critical. While the Board cannot guarantee elimination of all threats, the Board supports the Director in the implementation of its Building Safety Policy (See Appendix Y).

~~7.7.11 Unsafe School Choice Option Policy (Title IX, Part E, Subpart 2, Sec. 9532)~~ For the protection of all students and in accordance with the No Child Left Behind Act and Idaho State Law, the Board will officially adhere to the guidelines, procedures, and programs outlined in its Unsafe School Choice Option Policy (See Appendix Z). **- Unnecessary.**

Section 7.8 - Health & Wellness.

Health & Wellness. The Board is committed to providing a school environment that promotes and protects the health and well-being of its students. The Board encourages all members of the school community to create an environment that supports lifelong habits of health and wellness. The Board will review all health and wellness policies annually and make a good faith effort to continue to maintain the health and wellness of all students and employees.

7.8.1. First Responder Training. The Board authorizes the Director to require all faculty and staff in direct contact with students to receive and remain updated in first responder training. ~~Policy/procedure.~~

~~7.8.2. Building Wellness.~~ The Board recognizes the positive relationship between good nutrition and physical activity on our students' ability to reach his/her maximum potential in learning and life and to this end has adopted a Building Wellness Policy. Through the implementation of a coordinated approach to school health, CTEA will promote lifelong wellness to our students through education about healthy choices and behaviors in all school venues the classroom, extracurricular activities, family events, the lunch room and the school environment as a whole (See Appendix AA).

~~7.8.3. Health Records.~~ In the best interest of the school, students, and employees, the Board's Health Records Policy authorizes the Director to maintain the health records and information listed therein for each student (See Appendix AB). ~~Unnecessary.~~

7.8.4. Immunizations. In accordance with Section 39-4801, Idaho Code: Idaho Department of Health and Welfare Rules, IDAPA §§16.02.15, the Board has developed its Immunization Policy. The requirements of this policy must be met at the time of registration, before attendance can begin. (See Appendix AC). ~~Tab 6.~~

~~Communicable Diseases.~~ It is the intent of the Board of Trustees to protect students and employees from exposure to diseases while they are attending school or actively working for CTEA. Students and school employees who have, or are suspected of having, a communicable disease will be dealt with according to the rules outlined in the CTEA Communicable Disease Policy (See Appendix AD). ~~Policy.~~

~~Medications Policy.~~ The Board is concerned about the health of every student at CTEA and, in accordance with Idaho Code §§33-520, recognizes the importance of administering medication in a safe, reliable and timely manner. The purpose of administering medications in school is to help each child maintain an optimal state of health that may enhance his/her educational plan. The medications will be those required during school hours that allow the student to fully participate in the educational setting. The procedures for handling and administration of medications are outline in the CTEA Medications Policy (See Appendix AE). ~~Policy/procedure.~~

~~7.8.5. Emergency Care.~~ Through its Emergency Care Policy, the Board directs all CTEA employees to protect the health of its students and take reasonable measures to provide emergency care for any student that becomes ill or is injured on school property, during school hours, or at any school sponsored activity (See Appendix AF).
[Include as policy rather than in your petition.]

Section 7.9 - Use of Technology

7.9.1 Use of Technology. The Board expects that its technology and all related resources such as its network of computers, peripherals, etc. will be used by all users in a judicious, prudent manner observing generally accepted rules of conduct and etiquette. Chief Tahgee

Elementary Academy will take every measure to ensure the security of its network by applying the appropriate firewalls, active directory policies, and network based antivirus software. The Board has adopted and will review annually a Technology Use Policy to govern the use of all school technology; the policy includes, but is not limited to the following regulations. (See Appendix AG).

7.9.2 Regulation.

7.9.2.1 Commercial use, such as promoting or advertising any business, is strictly prohibited.

7.9.2.2 The network may not be used to promote or solicit for any political cause, charitable cause or organization unless it is pre-approved by the Board.

7.9.2.3 Chief Tahgee Elementary Academy does not condone or permit the use of materials which are defamatory, abusive, obscene, profane, sexually-oriented, threatening, racially offensive or illegal. Users may not knowingly bring or transmit such materials into the school environment.

7.9.2.4 Students may only use the network with permission of school personnel.

7.9.2.5 Users should use only assigned accounts and keep passwords confidential.

7.9.2.6 Users should not permit others to use their accounts.

7.9.2.7 Users should prevent unauthorized use by logging off computers.

7.9.2.8 Users will not view, use, transmit or copy information or files for which they are not authorized.

7.9.2.9 Users will not plagiarize or use copyrighted and/or licensed material inappropriately.

7.9.2.10 Users will not disable or interfere with the normal functionality of the network or software.

7.9.2.11 User may only use approved technology equipment and software.

7.9.2.12 User may not post anonymous messages.

7.9.2.13 Users may not use online social networking sites or e-mail to bully or defame other students or staff, regardless of the location from which these messages were posted.

7.9.2.14 All personal technologies must be registered through the IT department.

7.9.2.15 User will not send spam, chain letters, or other mass unsolicited mailings.

7.9.2.16 Users will not transmit materials, information or software in violation of any local, state, or federal law.

7.9.2.17 System administrators and CTEA do not have control of information residing on other systems.

7.9.2.18 Students will not have access to social networking site or instant messaging application unless under strict supervision of a school employee and will be used only for educational purposes. **Policy.**

7.9.3 Parent/Guardian Permission. Students who use CTEA technology must have written permission from their parents/guardians/acting custodians as specified in the Technology Use Agreement.

7.9.4 Technology Use Agreement. To ensure proper understanding between the Board and users of technology, the Board authorizes **The charter petition is not the appropriate document in which to establish board authorization. That should be done through policy/board action.**

the existence of an approved Technology Use Agreement (See Appendix AH). Subsequent substantive changes to the Technology Use Agreement must be approved by the Board, and the Board recognizes the need for such changes as technology and its proper uses change. Students, parents/guardians/acting custodians, and staff are required to read, sign, and comply with the Technology Use Agreement and the technology policies in order to use the school's technology resources. If a user breaks the terms of this agreement, the administrator or designee reserves the right to deny or suspend user access. Severe infractions may result in termination of employment or school expulsion. The user will be informed of the suspected violation and given an opportunity to present an explanation. The user may request a review hearing of a building administrator within seven (7) days of such suspension or termination. **Policy.**

7.9.5 Network Security. Chief Tahgee Elementary Academy will take every measure to ensure the security of its network by applying the appropriate firewalls, active directory policies, and network based antivirus software.

7.9.6 Internet Safety. To promote the safety and security of users, and to ensure compliance with the Children's Internet Protection Act (CIPA), blocking and filtering protection measures, such as Barracuda Web Filtering, will be used to the fullest extent practical. Faculty may request that IT services temporarily or permanently unblock access to sites containing material which is appropriate for valid educational purposes.

7.9.6.1 Students' and employees' home and personal Internet use can have an impact on the school and on other students and employees. If personal Internet expression – such as a threatening message to another person, or a violent website – creates a likelihood of material disruption to the School's operations, the user may face disciplinary action and criminal penalties.

7.9.6.2 All students will be required to receive Internet safety training prior to accessing the Internet.

7.9.7 Student Supervision. Students may only use the network with permission of school personnel. Staff members are responsible for supervising student use of technology in a manner appropriate to the students' age. Students are responsible for obtaining permission from a staff member, and staff may NOT permit students to use staff accounts.

7.9.8 Signatures. The Board requires that all district staff, students and parents, legal guardians, or acting custodians of minor students read and sign a Technology Use Agreement before an account will be established. The administrator or designee has authority to provide reduced services mutually agreeable to both parties for users refusing to sign a Technology Use Agreement; however, users will not be allowed access to the Internet without a properly signed Technology Use Agreement.

7.9.9 Violations. Violation of the terms and conditions of this agreement will result in disciplinary action in accordance with staff and student discipline policy, up to and including, termination of employment or expulsions from school. **Policy/handbook.**

Section 7.10 - Access to Student/Parent Handbook

7.10.1 Access to Student/Parent Handbook. The Director of Chief Tahgee Elementary Academy will assemble a Student/Parent Handbook pursuant to state laws which outlines a Code of Conduct including expectations and consequences for unacceptable behavior. The aforementioned policies will be incorporated as appropriate into the school's student and staff handbooks, and will be reviewed on an ongoing basis in the school's staff development effort (See Appendix AI).

7.10.1.1 The purpose of the Student/Parent Handbook is to provide students at CTEA with specific information concerning a Code of Conduct, policies, procedures, rules, and regulations.

7.10.1.2 Prior to the beginning of each school year, the Director is responsible for continuing the development of and updating the Student/Parent Handbook. All parents/guardians/acting custodians will receive a hard copy (printed) version of the Student/Parent Handbook; this will generally occur during registration or student orientation. The Student/Parent Handbook will also be available on CTEA's website.

7.10.1.3 Any stakeholder, parent/guardian/acting custodian, or school employee may request a printed copy of the Student/Parent Handbook at the school's expense. Requests for the Student/Parent Handbook may be made in person, via telephone, e-mail, or in writing; the request must include a preferred means by which the individual is to receive the handbook.

7.10.1.4 Before any registration will be deemed complete, parents/guardians/acting custodians will be asked to thoroughly review the Student/Parent Handbook all school policies, contents, and permissions and then sign the Student/Parent Handbook Awareness Form (See Appendix AJ) asserting that they have read and understand the policies and procedures governing the operations and conduct at CTEA.

7.10.1.5 The Student/Parent Handbook will be an ongoing joint effort between the administration, faculty, parents/guardians/acting custodians, and the Board. Policy/handbook.

April 5, 2012

TAB 8: Business Plan

Section 8.1 - Business Plan

- 8.1.1** Business Description
- 8.1.2** Marketing Plan
- 8.1.3** Management Plan
- 8.1.4** Resumes of Trustees
- 8.1.5** Financial Plan
- 8.1.6** Start-up Budget Assumptions Form
- 8.1.7** Three-Year Operating Budget Form
- 8.1.8** First Year Month-by-Month Cash Flow Form

Section 8.2 - Proposal for Transportation Services I.C. §§33-5205 (3)(t), §§33-5208 (4)

Section 8.3 - Plan for School Lunch Program

Section 8.1 - Business Plan

8.1.1 Business Description. Chief Tahgee Elementary Academy, Inc. was incorporated on May 9, 2011 and will be a non-profit entity organized and managed under the Idaho Nonprofit Corporation Act. The school is organized for the charitable, educational, and innovative purposes in order to do all things reasonable and proper in the operation of a nonprofit charter school within the state of Idaho. CTEA is organized exclusively for educational purposes within the meaning of IRC Section 501(c) (3) of the Internal Revenue Code of 1986 and will not carry on any activities prohibited under said code, corresponding sections of any future federal internal revenue laws, or by a corporation to which contributions are deductible under Internal Revenue Code §§170(c)(2). Chief Tahgee Elementary Academy will have all powers allowed by law, including, without limitation, those powers described in Section 30-2-24 of the Idaho Code. Furthermore, CTEA will not engage in any activities or execute powers not in direct furtherance of its stated and inferred purposes. Chief Tahgee Elementary Academy has currently completed Form 1023 Application for Recognition of Exemption under Section 501(c)(3) application and filed on November 4, 2011. Duplicate/Articles/Bylaws

8.1.2 Marketing Plan. It is the intent of the Board of Trustees to respond to an expressed need by the parents and community members of Fort Hall to incorporate Shoshoni language immersion and culture into the school curriculum. (See Appendix AK: Resolution of Tribal Council). Use of the Shoshoni language has declined dramatically and is now considered an endangered indigenous language. There is a sense of urgency about efforts to revitalize the Shoshoni language. Tribal officials and community members fear that if this decline in the use of Shoshoni language is not curbed in this generation, the Shoshoni language will disappear as a viable form of communication. An unfortunate lesson of history informs us that the loss of language is closely followed by the loss of a culture. At the same time, it is also the intent of the Board of Trustees to create a diverse and socially balanced educational environment for the students and employees of CTEA. Consequently, the school will recruit and provide the opportunity for students to enroll regardless of race, color, national or ethnic origin, religion, sex, social or economic status, or special needs. Moreover, the advertising process for CTEA will include all current requirements as delineated in Idaho Code §§33-5205 and ensure that such announcements are broadcast and/or published by media outlets on not less than three (3) occasions, beginning no later than fourteen (14) days prior to the enrollment deadline each year. Likewise, taking into consideration the language demographics of the area, all advertisement will be disseminated in English, Spanish, and other languages as deemed appropriate. [This is a repeat of information from section 7.4.1] Therefore, the primary venues and sources for advertising and recruitment into CTEA will include, but not be restricted to the following:

- 8.1.2.1 the school website, e-mail, and other social networking tools,
- 8.1.2.2 mass e-mail to all Shoshone-Bannock Tribes employees,
- 8.1.2.3 the school monthly newsletter,
- 8.1.2.4 direct mailings to primary attendance area households,
- 8.1.2.5 dissemination of brochures at community events,
- 8.1.2.6 distribution of flyers to heavily trafficked areas,
- 8.1.2.7 local radio and television advertisements and public announcements,

- 8.1.2.8 ongoing articles in the local newspapers, including the Sho-Ban News,
- 8.1.2.9 advertisement materials posted in prominent locations throughout the compact and contiguous attendance areas (i.e. the library, the community notice board, Shoshone-Bannock Tribes Business complex, at City Hall).
- 8.1.2.10 billboards,
- 8.1.2.11 vehicle decals
- 8.1.2.12 word-of mouth referrals,
- 8.1.2.13 public forums in individual homes and other public locations in accordance with Idaho Code §§67-23,
- 8.1.2.14 a school sign, and
- 8.1.2.15 door-to-door contacts when deemed necessary.

Take care to avoid committing to marketing efforts the school cannot ensure will take place (such as publication of articles) or may not be able to afford (such as billboards).

8.1.2.16 School Climate Surveys. In order to improve the performance of CTEA staff and students, the Director will administer a yearly school climate survey to measure the perceived experiences, attitudes, and opinions of the community, Tribal Council, students, staff, and parents. These surveys will assess the perceptions of student motivation, the learning environment, instructor teaching methods and effectiveness, parent involvement, the effectiveness of the Director, and the quality of the CTEA as a whole. The Board has developed a preliminary list of key themes and questions on which these surveys will be based (See Appendix M).

8.1.2.17 Targeted Area. Chief Tahgee Elementary Academy will open in August of the 2013 school-year and be physically located within the boundaries delineated by Blackfoot School District #55. Chief Tahgee Elementary Academy will have a primary attendance area encompassing the areas identical to that of the Pocatello School District, Blackfoot School District, and entirety of the Fort Hall Indian Reservation. These students will be given priority as designated in I.C. §§33-5205(3) (j), however, students from other areas may be enrolled.

8.1.2.18 Enrollment Capacity. A matriculation cap of one hundred two (102) will be in effect for the first year (1) of operation, one hundred twenty-four (124) the second year (2), one hundred forty-six (146) in the third year (3) of operations, and one hundred sixty-eight (168) in the fourth (4) year. During the first year of operation, CTEA will cap enrollment in kindergarten at twenty-four (24) students and grades one (1) through six (6) at thirteen (13) students per grade; grades one/two, three/four, and five/six will be combined classes. In the second year of operation, there will be an enrollment cap of twenty (24) students in grades K-2 and thirteen for grades three (3) through six (6); grades three/four and five/six will remain combined classes. In the third (3) year, grades K-4 will have an enrollment cap of twenty-four (24) students and grades five (5) and six (6) will retain a cap of thirteen students; grades five/six will remain combined. In the fourth (4) year of operation, all grades will have an enrollment cap of twenty-four (24) students per grade. At that time the Board will evaluate and determine if it is viable for CTEA to further expand. Duplicate info.

This is not really a marketing plan. Please specify what your marketing goals are and specifically how you anticipate they will be met, by whom, and on what timeline. What specific techniques will the school use to recruit at risk and non-English speaking students? What is your long term marketing plan? How will you form community partnerships and encourage community involvement? Take care not to commit to activities that may be out of the school's control or prove to be unaffordable.

8.1.3 *Management Plan.*

8.1.3.1 Chief Tahgee Elementary Academy will serve grades K-6. School organization, and functions thereof, will generally reflect traditional elementary organizational structures and cultural elements, acknowledging the value of certain technology activities and practices. It is the intent of the Board that the focus, objectives, and methodological approach to instruction of activities will be transformed, not functions of daily operations.

8.1.3.2 The Director will be charged to determine procedures and methods for providing the needed communication, organization, and transportation to achieve this outcome. With oversight authority remaining with the Board of Trustees, the Director of CTEA will be charged with determining the day-to-day operations of the school.

8.1.3.3 The Director will determine the school calendar, schedule, and hours of operation based upon a modified schedule and input from the Board, the faculty association, and parent association. Within that general format, the Director, in consultation with the Board of Trustees, will establish the school year calendar in compliance with the requirement of providing 900 hours of instruction. The school day is initially planned to begin at approximately 8:00 AM and end at 3:00 PM; more specific times will be adopted as the interconnectedness of the systems emerge in greater detail. In consultation with the Board, the faculty association, parent association, and the students, the Director will review the schedule on an annual basis and may make changes as necessary. State and school required hours of attendance will be met. Duplicate.

8.1.3.4 Supplemental services may be contracted as needed. The Director will serve as the liaison between the selected contractors, Board of Trustees, ~~the ACE~~, [The PCSC deals primarily with school boards rather than administrators.] the State Department of Education, Idaho State Board of Education, community, and parents.

8.1.3.5 In compliance with state, federal, and the ACE timelines, annual programmatic and financial reports will be presented to the Board of Trustees, the ACE, the public, and parents in a timely manner. Duplicate

8.1.4 *Resumes of Trustees*

8.1.4.1 See Appendix AL for Resumes of Trustees

8.1.5 Financial Plan. This section is intended to outline major anticipated revenue and expenditures in the early years of the school.

8.1.5.1 Financial Management. While the Director of CTEA will be responsible for financial management, the Board has ultimate responsibility for the school's financial status. All accounting records will be kept in accordance with generally accepted accounting principles. Chief Tahgee Elementary Academy will follow the requirements set forth by the State of Idaho and the Idaho State Department of Education, including formats for account numbering, audits, etc.

8.1.5.1.1 Outsourcing. Chief Tahgee Elementary Academy reserves the right to outsource its financial management to a certified public accounting firm, or another licensed and bonded entity. These accounting records will be kept in accordance with generally accepted accounting principles and standards. The Director of CTEA will be responsible for the oversight, with ultimate responsibility residing with the Board. Unnecessary.

8.1.5.1.2 Bonding. Documentation of bonding of all personnel involved in the school's financial operations will be provided to the ACE prior to the opening of the school. Evidence of bonding is not required by the ACE.

8.1.5.1.3 Records and Reporting. The Director will determine how the school will maintain school records and required information consistent with state and federal guidelines. Chief Tahgee Elementary Academy will follow similar procedures to local District methods for reporting attendance and enrollment information to the state for funding purposes. Chief Tahgee Elementary Academy will comply with all Internal Revenue Service regulations and reporting requirements.

8.1.5.2 Budget. The budget for Chief Tahgee Elementary Academy will be:

8.1.5.2.1 prepared in compliance with Section 33-801, Idaho Code and policy of the Idaho State Board of Education,

8.1.5.2.2 prepared, approved and filed using the Idaho Financial Accounting Reporting Management System (IFARMS) format,

8.1.5.2.3 presented at a public hearing in June of the year the school will open, and

8.1.5.2.4 delivered to the State Department of Education as required on or before July 15 prior to the start of each school year. Copies of the budget will be provided in a timely manner to the ACE, on or before July 15, and posted on the school's website.

8.1.5.3 Funding & Revenues. Funding sources for Chief Tahgee Elementary Academy will be based on and include, but not limited to, the following:

8.1.5.3.1 the Support Unit Calculation Template for Charter Schools

8.1.5.3.2 Salary Based Apportionment Template for Charter Schools

8.1.5.3.3 state allocations for pupil transportation

8.1.5.3.4 private grants

8.1.5.3.5 business partnerships

8.1.5.3.6 loans

8.1.5.3.7 donations

8.1.5.3.8 As soon as possible, it is the intent of CTEA to applying for all Federal Title funds available for and relevant to its purposes, including Title I and Title II-A. Chief Tahgee Elementary Academy will develop and implement an approved Consolidated Plan that details these programs. This plan will include, but not be limited to, a parent involvement policy, parent compacts, participation in the state assessment and accountability system, highly qualified staff, and a scientific research based program of support for academically at risk students.

8.1.5.3.9 **Fundraising Committee.** A committee will be established to conduct fundraising efforts to generate capital or to supplement the per-pupil allocations. To date, no private funding monies have been included in the budget.

8.1.5.3.10 **Grant Writing & Fundraising Plan.** CTEA is aware that in order to accomplish our stated vision and mission, a successful and ongoing grant-writing process and strategy is important. Our systematic process for selecting opportunities is already in place and we have an ongoing plan for finding possible funding sources and are tracking opportunities that are likely to recur. CTEA is thus moving forward to create partnerships with foundations, philanthropic corporations, and religious organizations whose charitable giving field of interest matches our goals and educational program. To this end, we have begun the process of identifying and matching the goals of CTEA with both national and local funding agencies. **Has CTEA achieved any tangible results from the efforts described? The body of the charter is not the best place to describe such efforts; they would be better addressed as an appendix related to the budget section. Only guaranteed funds should be included in the budget itself, however, and grant income and expenditures should be shown separately from the remainder of the budget.**

8.1.5.3.11.1 For example, we have identified the top tribal gaming philanthropic foundations and letters of inquiry have already been sent to the Coquille, Mashantucket Pequot, Grand Ronde, Morongo, Shakopee, Siletz, and Yocha Dehe tribal charitable funds.

8.1.5.3.11.2 Currently, we are preparing a proposal for the ANA Native American Language Preservation and Maintenance Grant will be submitted for the January 31, 2012 application due date. Further, we received the application from the Laura Moore Cunningham Foundation to submit a proposal.

8.1.5.3.11.3 Other top charitable foundations we are contacting now include: O. P. and W. E. Edwards Foundation, Alfred P. Sloan Foundation, ALSAM Foundation, Chiles Foundations, Ford Foundation, Irvine Company, Lannan

Foundation, M. J. Murdock Charitable Trust, Richard and Helen DeVos Foundation, The Jon and Karen Huntsman foundation, The Paul G. Allen Family Foundation, Watson Family Foundation, and the W.W. Kellogg Foundation.

8.1.5.4 Expenditures. Expenditures will be handled by CTEA as described in the following sections.

8.1.5.4.1 Purchasing Process. With approval of the Board of Trustees, the Director of CTEA will determine procedures for procuring goods and services. These purchasing procedures will be in compliance with State Law, Idaho Code §§33-601. **Unnecessary.**

8.1.5.4.2 Payroll Processing. Chief Tahgee Elementary Academy will process, or contract to have processed, its payroll in accordance with applicable Idaho codes. Chief Tahgee Elementary Academy reserves the right to outsource its payroll processing as determined by the Director, with approval of the Board of Trustees. To date, it is the intent of CTEA to process its own payroll and provide in house accounting services. **Unnecessary.**

8.1.5.4.3 Internet Based Expenditure Website. In compliance with Idaho Code §§33-357, data concerning all expenditures made by CTEA will be posted on the school's website to include the following: **Refer rather than quoting.**

8.1.5.4.3.1 The name and location or address of the entity receiving moneys;

8.1.5.4.3.2 The amount of expended moneys;

8.1.5.4.3.3 The date of the expenditure;

8.1.5.4.3.4 A description of the purpose of the expenditure, unless the expenditure is self-describing;

8.1.5.4.3.5 Supporting contracts and performance reports upon which the expenditure is related when these documents already exist;

8.1.5.4.3.6 To the extent possible, a unique identifier for each expenditure;

8.1.5.4.3.7 The annual budget approved by the education provider's governing board, to be posted within thirty (30) days after its approval; and

8.1.5.4.3.8 Any current master labor agreements approved by the education provider's governing board.

8.1.6 Start-up Budget Assumptions Form

8.1.6.1 See Appendix AM for Start-up Budget & Assumptions Form

8.1.7 Three-Year Operating Budget Form

8.1.7.1 See Appendix AN for Three-Year Operating Budget Form

8.1.8 First Year Month-by-Month Cash Flow Form

8.1.8.1 See Appendix AO for First Year Month-by-Month Cash Flow Form

Section 8.2 - Transportation

8.2.1 Inasmuch as applicable to Chief Tahgee Elementary Academy, in accordance with Idaho Code §§33-1501 through 1514, §§ 33-402(g), §§33-1006, §§33-5208, and §§67-2806, and as finances allow, transportation will be provided to any student residing more than one and one-half (1 1/2) miles by road from the school at selected pick-up and drop off locations. Students who reside less than one and one-half (1 1/2) miles by road from CTEA will be services according to safety issues. If seating and finances become limited, priority will be given to students residing within fifteen (15) miles by road of the school's physical location.

Please consider this section carefully. The State will only reimburse for the transportation of students who reside between 1.5 and 15 miles from the school. Students who reside outside this area but catch the bus at a pick-up location within the area are NOT eligible for reimbursement. Also, while a "gray area" in the law permits start-up charters to forgo provision of transportation early on, you must be actively working toward the ability to provide transportation as an ongoing service.

8.2.2 Transportation will be provided for any special needs student enrolled at CTEA who may, due to the nature of his/her disabilities and delineated in an IEP, be entitled to specialized transportation as a related service.

8.2.3 Chief Tahgee Elementary Academy will furnish the State Department with an enrollment count of public charter school students living more than one and one-half (1 1/2) miles by road from or within 15 miles by road of the school as of the first (1st) Friday in November of each year. ~~Unnecessary.~~

8.2.4 Chief Tahgee Elementary Academy may contract its transportation services with the Shoshone-Bannock Jr./Sr. High School. [Please work with the SDE to ensure this process will work without going out for bid. Is district approval needed?] An estimated first year transportation cost has been included in the budget. If transportation is outsourced, the transportation bidding process will begin no later than January 31, 2013. The bid will be awarded no later than April 30, 2013. No bids or contracts will be let until after the charter is granted (See Appendix AP: Shoshone-Bannock Jr./Sr. High School Letter of Support).

Does CTEA have a backup transportation plan, should the district choose not to participate? Have written cost estimates been acquired?

8.2.5 If CTEA elects to contract out transportations services, the proposed contract will be compliant with Idaho Department of Education, Division of Student Transportation regulations and with Idaho Code §§33-1510 and will be reviewed by the SDE prior to both parties signatures. ~~Petition cannot obligate third party.~~

Section 8.3 - Plan for School Lunch Program

- 8.3.1** Chief Tahgee Elementary Academy may participate in the National Child Nutrition Program through a contract with the Shoshone-Bannock Jr./Sr. High School (See Appendix AP: Letter of Support). Meal preparation will be guided by the USDA Code of Federal Regulation and meet or exceed minimum daily nutritional requirements as determined by the appropriate authorities.
- 8.3.2** Free and reduced lunch forms will be provided to all students by CTEA. Free and reduced price lunches will be available to qualifying students. The Income Eligibility Guidelines set forth by the USDA Food and Nutrition Services Child Nutrition Programs will be used to determine eligibility of students for free and reduced price meals. Chief Tahgee Elementary Academy will follow the USDA establish policies for determining prices for meals, verification reporting, record keeping, and governmental reimbursement.
- 8.3.3** Chief Tahgee Elementary Academy will have representation at mandatory trainings and will comply with State and Federal regulations, standards, and guidelines set forth by any such programs which may include the USDA, NSLP, FFVP, Special Milk Program for Children, and/or Farm-to-School.

TAB 9: Business Arrangements, Termination, and Dissolution

[Tab 9 is for virtual schools. This information should be under Tab 10].

Section 9.1 - Description of Business Arrangements and Partnerships

Section 9.2 - Additional Information Desired by Petitioners

- 9.2.1 Compliance
- 9.2.2 Amending the Charter
- 9.2.3 Right to Evaluate
- 9.2.4 Public Access
- 9.2.5 Policy and Procedures Manuals
- 9.2.6 School Records
- 9.2.7 Complaint Process for the Public and Employees
- 9.2.8 Internal Revenue Service Regulations
- 9.2.9 Use of District Facilities
- 9.2.10 Lease/Purchase Documentation
- 9.2.11 Inspection Reports
- 9.2.12 Additional Reporting

Section 9.3 - Termination Plan I.C. §§33-5205 (3)(u), §§33-5206 (8)

- 9.3.1 Provisions for Termination
- 9.3.2 Responsibility for Dissolution
- 9.3.3 Payments to Creditors
- 9.3.4 Disposal of Assets
- 9.3.5 Transfer of Student Records
- 9.3.6 Transfer of Personnel Records

Section 9.1 - Description of Business Arrangements and Partnerships

- 9.1.1** Chief Tahgee Elementary Academy will actively seek and engaged in associations with various organizations, including, but not limited to, Shoshone-Bannock Tribes, SBT Language and Cultural Preservation Department, Idaho State University, National Indian Education Association, Indigenous Language Institute, National Education Association, etc.
- 9.1.2** Chief Tahgee Elementary Academy may enter into dual enrollment contracts with the local school districts as needed; ADA for these contracts will be negotiated on a per district basis and adhere to Idaho Code and district policies and procedures.
- 9.1.3** In order to facilitate the instruction of the student body and operate its academic program, the CTEA Board will acquire and maintain facilities in compliance with federal and state regulations, specifically I.C. §§33-5205 (4). The primary site will be located within the identical boundaries of the Blackfoot School District #55. Chief Tahgee Elementary Academy has been provided a location on the Fort Hall Indian Reservation by resolution of the Shoshone-Bannock Tribal Council for the use of a portable campus model. This facilities plan ensures that adequate instructional, office, library, and other space appropriate for its student population will be available. Prior to the start of school, facilities will be inspected to assure compliance with Idaho Code. §§39-4130 and the Americans with Disabilities Act and a report submitted to the ACE and the State Department of Education upon certification. ~~Duplicate/Irrelevant to this section.~~
- 9.1.4** Special education and Section 504 of the Rehabilitation Act and the Americans with Disabilities Act services may be contracted to meet the needs of all students; Chief Tahgee Elementary Academy will enter into all contractual agreement prior to the opening of the school, thus these services will be available to students by the first day of school. Chief Tahgee Elementary Academy has discussed contractual arrangements for school psychologist; speech therapy, physical therapy, and occupational therapy services with local providers.
- 9.1.5** As needed, the curriculum for CTEA will be compiled with the assistance of the Board of Trustees, Director, curriculum coordinator, faculty members, information technologist, and other qualified professionals. Chief Tahgee Elementary Academy may contract services as needed; however, no contracts or agreements have been discussed and this time and will not be entered until the charter is approved and the timing is appropriate. The curriculum will meet or exceed Idaho State Standards and be aligned with the charter petition.
- 9.1.6** A list of all contracts identifying the party with whom CTEA has contracted, the length of the contract, and the requirements of the contract will be submitted to the ACE and the State Department of Education upon contractual agreement, as required and in a timely manner, and posted on the school's website.

Section 9.2 - Additional Information Desired by Petitioners

- 9.2.1 Compliance.** Chief Tahgee Elementary Academy will comply with all Superintendent for Public Instruction, Idaho State Board of Education, State Department of Education, federal, state, and ACE rules, policies, and regulations as they relate to Charter Schools and public education, unless exempt through charter or other legislation.
- 9.2.2 Amending the Charter.** Any revision of the terms of the Charter, ~~consisting of Tabs 1-11,~~ will require a new State Department of Education Sufficiency Review and the approval of the Board of Trustees and the ACE. **This is not precisely accurate. There are a couple types of amendments that do not require a sufficiency review, and the PCSC does need to approve any amendments to your articles or bylaws.**
- 9.2.3 Right to Evaluate.** The ACE will retain the right at any time to evaluate the degree to which CTEA is meeting the terms of the charter. The ACE may choose to have an official representative or an independent evaluator visit CTEA, review records and data, directly survey parents, students, or employees of CTEA, perform financial and/or programmatic audits, and pursue other reasonable means of determining compliance and accountability to the Charter. To enact any of the above measures, the ACE must state the specific nature of the concern and the request must be reasonable in terms of the timing and the amount or types of information required. **Unnecessary.**
- 9.2.4 Public Access.** Chief Tahgee Elementary Academy's policies regarding the ways in which the public may have access to the school's students, staff, and facilities will be similar to that of other local public school districts; final determination will be at the discretion of the Board. Chief Tahgee Elementary Academy will fully comply with all aspects of the Idaho Public Records Law (Idaho Code §§9-337 – §§9-350) and with the Idaho Open Meeting Law (Idaho Code §§67-2340 through §§67-2347), as indicated in the Bylaws.
- 9.2.5 Policy and Procedures Manuals.** Upon bestowal of authority by the ACE to act as a legal Charter, the Board will acquire/purchase and adopt a comprehensive policy manual that succinctly demonstrates the school's end goals and values for all aspects of school operations, as specifically delineated throughout the charter.
- 9.2.5.1** In cooperation with the Director, faculty, parents, and community, it will be the responsibility of the Board to adapt these policies and create new policy specific to the Ends and operations of CTEA. With authority from the Board of Trustees, the Director will develop and implement an appropriate manual of procedures to comply with Board policies and state and federal regulations.
- 9.2.5.2** A copy of the policy and procedures manuals will be provided to the ACE, displayed on the Internet, and a hard copy will be kept in the school's main office and library. **It is not necessary to provide the manuals to the ACE, unless they are requested.**
- 9.2.5.3** If any changes are made to the policies included in the charter, they will be in compliance with state and federal regulation and resubmitted to the ACE for approval. The Board of Trustees retains the right to develop and implement any and all legally compliant policies and procedures. **Unnecessary, as most policies**

should be removed from the charter and charter revisions must be approved regardless.

9.2.6 School Records. Under the direction and authority of the Board of Trustees and consistent with tribal, state, and federal guidelines, the Director of CTEA will be charged with developing the procedural guidelines for how the school will maintain school records and required information.

9.2.7 Complaint Process for the Public and Employees. Chief Tahgee Elementary Academy's procedures for a complaint process for parents/guardians/acting custodians, the public, and the faculty are as follows, with the ultimate authority residing with the Board of Trustees:

9.2.7.1 Both parties will be asked by the Director to try to resolve the issue face-to-face.

9.2.7.2 If no resolution can be found to the dispute, the Director will intervene and attempt to find a resolution through mediation.

9.2.7.3 Once the issue has passed the initial two steps, it may be brought before the Board. Once all needed input has been obtained by the Board of Trustees, the Board will render a final decision.

9.2.7.4 All attempts will be made to resolve issues at the lowest level possible.

Policy/procedure/handbook.

9.2.8 Internal Revenue Service Regulations. Chief Tahgee Elementary Academy will comply with all Internal Revenue Service (IRS) regulations and reporting requirements as delineated in the Charter and Bylaws. Unnecessary.

9.2.9 Use of ACE & District Facilities At this time CTEA has no arrangements to utilize any ACE or local district facilities. However, in compliance with Idaho Code §§33-203(7) and §§33-5205(3)(r), the Director will be charged with negotiation of any facilities use required at a later date, with the agreement subject to the Board's final approval. Unnecessary.

9.2.10 Lease/Purchase Documentation. Chief Tahgee Elementary Academy will provide lease/purchase documentation for facilities and busing to ACE upon completion of negotiations and acquisition, or no later than June 30, 2013 and by the date stipulated in the contract.

9.2.11 Inspection Reports. Chief Tahgee Elementary Academy will provide [to whom?] certification that the facilities meet all requirements for health, safety, fire, and accessibility for the handicapped required of all public schools prior to the opening of the school and by the date specified in the contract. Likewise, CTEA will provide ongoing certifications of the facilities for health, safety, and fire compliance to the district and other entities as required. The Director will be charged with developing all procedures to meet said health and safety requirements in accordance with state and federal regulation.

9.2.12 Additional Reporting. As information deemed useful or pertinent to the ACE, State Department of Education, or Idaho State Board of Education is discovered, additional reports may be provided at the discretion of CTEA. Unnecessary.

Section 9.3 - Termination Plan

9.3.1 Provisions for Termination. The Board of Trustees recognizes its responsibility to maintain communications with the ACE regarding any changes, problems, or difficulties in the operations of CTEA. Moreover, Chief Tahgee Elementary Academy will resolve any dispute with the ACE regarding the provisions of the charter in accordance with Idaho Code §§33-5209 and the applicable rules of the Idaho State Board of Education for notice of defect and submission of a corrective action plan. Copies of any formal complaints filed against CTEA, including lawsuits, will be provided to the ACE within (5) business days of receipt by CTEA.

9.3.1.1 Chief Tahgee Elementary Academy understands that the ACE may terminate the charter if it finds that CTEA has:

9.3.1.1.1 committed a material violation of any condition, standard or procedure set forth in the charter petition or contract;

9.3.1.1.2 failed to meet generally accepted accounting standards of fiscal management;

9.3.1.1.3 failed to submit required reports, ~~as defined by Idaho Charter School Law, to the ACE and/or the State Department of Education;~~ [inaccurate]

9.3.1.1.4 failed to substantially meet one or more of the student educational standards identified in the charter contract;

9.3.1.1.5 filed for bankruptcy or financial reorganization and is unable to pay its creditors;

9.3.1.1.6 lost substantial support of the school's students, parents, staff, and/or community;

9.3.1.1.7 shown that it is not in the best interest of students for the school to continue cooperation; and/or

9.3.1.1.8 violated any provision of law; ~~Unnecessary.~~

~~9.3.1.2 Except in emergency situations, the ACE will provide thirty (30) days written prior notice and an opportunity for CTEA's Board of Trustees to be heard, before the charter contract can be terminated. [A school cannot bind the PCSC to any action].~~ A decision to terminate or not to renew a charter may be appealed directly to the Idaho State Board of Education, based on Idaho Code §§33-5207, §§33-5208, §§33-5209; therefore, Chief Tahgee Elementary Academy will remain in operation until its charter is revoked consistent with Idaho Code §§33-5209. ~~Unnecessary.~~

9.3.2 Dissolution. In the event of revocation or termination of the Chief Tahgee Elementary Academy's Charter, the school will make every attempt to fully cooperate with the ACE and State Department of Education through the dissolution process.

9.3.3 Responsibility for Dissolution. In cases of some form of termination, non-renewal, or revocation occurs, the Chairperson of Board of Trustees will be responsible for the dissolution of the business and affairs of the school.

- 9.3.4** *Payments to Creditors.* Upon the dissolution of CTEA and pursuant to Sections 30-3-114 and 30-3-115 of Idaho Code, Chief Tahgee Elementary Academy will pay or adequately provide for the debts and obligations of the corporation. **Note that this may not be possible.** First, all materials and/or equipment purchased with federal funds will be returned to the authorizer. ~~Under the direction of the ACE,~~ the Board will dispose of other school property to satisfy any outstanding debts as outlined in Article IX of the Idaho Constitution.
- 9.3.5** *Disposal of Assets.* After all debts and/or obligations are met, the Board of Trustees will distribute all of the assets of the corporation consistent with the purposes of the corporation to the ACE ~~or to any other organization or organizations as determined by ACE, or to organizations as will at that time qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended from time to time.~~ Any remaining assests must be distributed to the ACE.
- 9.3.6** *Transfer of Student Records.* The Chairperson of the Board of Trustees will ensure that all student records are transferred to the local school district in which each student resides or to the district where the student will be matriculated. All students and parents will receive written notice of how to request a transfer of student records to a specific district; this process and the notice will be posted on the school's website. Students and parents will be instructed to contact the Board Chairperson or designee via written request to a post office box established for that purpose or through a designated e-mail address. Chief Tahgee Elementary Academy will accommodate student record requests from other districts, universities, students, and/or parents for up to three (3) years after dissolution. **Where will records be retained thereafter?**
- 9.3.7** *Transfer of Personnel Records.* The Chairperson of the Board of Trustees will ensure that personnel records are maintained by the Secretary of the Board and all employees will receive a written notice describing where the records will be maintained and describing the length of time personnel records will be held. Employees will be instructed to contact the Board Chairperson or designee via written request to a post office box established for that purpose or through a designated e-mail address. Chief Tahgee Elementary Academy will accommodate personnel for up to three (3) years after dissolution.

Tab 10: Virtual Charter School

Section 10.1 - Qualification as Virtual Charter School I.C. §§33-5202 (a)(6)

10.1.1 Chief Tahgee Elementary Academy does not qualify as a public virtual charter school.

This should be Tab 9.

Tab 11: Professional –Technical Regional Public Charter School

Section 11.1 - Qualification as Professional-Technical Regional Public Charter School I.C. §§33-5202 (a)(5)

11.1.1 Chief Tahgee Elementary Academy does not qualify as professional-technical regional public charter school.

Unnecessary.

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Appendix A – Articles of
Incorporation

April 5, 2012

FILED EFFECTIVE

2011 SEP -1 PM 4:53
SECRETARY OF STATE
STATE OF IDAHO

**Articles of Incorporation
of
Chief Tahgee Elementary Academy, Inc.**

Pursuant to the provisions of the Idaho Nonprofit Corporation Act Title 30, Chapter 3, Idaho Code, the undersigned incorporator(s) of a nonprofit Corporation submit the following Articles of Incorporation to the Secretary of State in order to form a Non-Profit Corporation.

ARTICLE I: Name

The name of the Corporation shall be the Chief Tahgee Elementary Academy, Inc.

ARTICLE II: Principal Place of Business

The place in this state where the principal office of the Corporation is to be located is at NW Corner of Rio Vista and Cemetery Roads, Pocatello, Idaho, 83202. The business of this Corporation may be conducted in all counties of the State of Idaho and in all states of the United States, and in all territories thereof, and in all foreign countries as the Board of Directors/Trustees shall determine.

ARTICLE III: Registered Office and Agent

The mailing address of the registered office of the Corporation is RR2 North Box 76B, Pocatello, Idaho, 83202, and the name of the initial registered Agent is Sherice Gould.

ARTICLE IV: Duration

The period of duration of the Corporation is perpetual and shall exist until dissolved according to law.

ARTICLE V: Purposes and Powers

This Corporation is organized exclusively for the charitable, educational, and innovative purposes in the operation of a nonprofit school within the State of Idaho pursuant to the Idaho Nonprofit Corporation Act as amended and supplemented. Said Corporation is organized for educational purposes within the meaning of Section 501(c) (3) of the Internal Revenue Code and shall not carry on any activities prohibited under said code or corresponding sections of any future Federal Internal Revenue laws.

The Corporation shall have all powers allowed by law, including and without limitation, those powers described in Section 30-2-24 of the Idaho Code. Furthermore, the Corporation shall not engage in any activities or execute powers not in direct furtherance of this Corporation's stated and inferred purposes.

The Corporation may solicit and receive contributions, purchase, own and sell real and personal property, make contracts, invest corporate funds, spend corporate funds for corporate purposes,

Page 1 of 3

IDAHO SECRETARY OF STATE
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and engage in any other activity in furtherance of, incidental to, or connected with any of the foregoing purposes.

In accordance with federal regulation, the Corporation shall not discriminate against applicants, students, faculty, and staff based on race, creed, age, sex, color, ancestry, or national origin.

ARTICLE VI: Bylaws

The Bylaws shall be set for the necessary provisions for the regulation for the internal affairs of the Corporation.

ARTICLE VII: Initial Directors/Trustees

The names and address of the initial Directors/Trustees are:

Nancy Murillo, PO Box 663, Fort Hall, Idaho 83203

Maxine Edmo, PO Box 367, Fort Hall, Idaho 83203

Sherice Gould, RR2 North Box 76B, Pocatello, Idaho 83202

ARTICLE VIII: Incorporator(s)

The name and address of the initial incorporator(s) are:

Sherwin Racehorse, RR3 Box 170, Blackfoot, Idaho 83221

ARTICLE IX: Membership

The Corporation shall have members.

ARTICLE X: Distributions

The property of the Corporation is irrevocably dedicated to educational purposes, and no part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to its Directors/Trustees, officers, or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article Fifth hereof.

ARTICLE XI: Limitations

No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to its members, directors, officers, or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article Fifth hereof. No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, the Corporation shall not carry on any other activities not permitted to be carried on (a) by a Corporation exempt from federal income tax under section 501(c)(3) of the

Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by a Corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code. Notwithstanding any other provision of these articles, this Corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the purposes of this Corporation.

ARTICLE XII: Amendment to Articles

The Corporation reserves the right to amend or repeal any provisions contained in these Articles of Incorporation or any amendment to them, and all rights and privileges conferred upon the members, directors, and officers are subject to this reservation. The Articles of Incorporation may be amended in accordance with the provisions of the laws of the State of Idaho, as amended from time to time, unless more specific provisions for amendments are adopted by the Corporation pursuant to Idaho law. Amendments to these Articles of Incorporation shall require the assent of two-thirds (2/3) of the Directors/Trustees.

ARTICLE XIII: Indemnification

The Corporation shall indemnify each Officer and Director/Trustee, including former Officers and Directors/Trustees, to the full extent permitted by the laws of the State of Idaho.

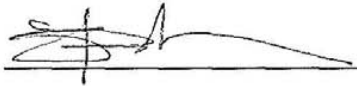
ARTICLE XIV: Dissolution and Distribution

Upon the dissolution of the Corporation and pursuant to Sections 30-3-114 and 30-3-115 of the Idaho Code, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code; or shall be distributed to a Tribal, State and/or local government for a public purpose.

Upon reimbursement of debts and liabilities of the Corporation, the remaining assets shall be distributed to the Corporation's authorizing entity. If at such time any remaining assets exist, the District Court of the County in which the principle office of the Corporation is then located shall determine final distribution.

Dated this 31st day of August, 2011


Signatures of Incorporator(s):



Sherwin Racehorse

April 5, 2012

Appendix B – Employer Identification Number

 DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
CINCINNATI OH 45999-0023

Appendix B

Date of this notice: 09-01-2011

Employer Identification Number:
45-3150830

Form: SS-4

Number of this notice: CP 575 A

CHIEF TAHGEE ELEMENTARY ACADEMY INC
RT 2 NORTH BOX 76B
POCATELLO, ID 83202

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 45-3150830. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

Based on the information received from you or your representative, you must file the following form(s) by the date(s) shown.

Form 941	07/31/2012
Form 940	01/31/2013

If you have questions about the form(s) or the due date(s) shown, you can call us at the phone number or write to us at the address shown at the top of this notice. If you need help in determining your annual accounting period (tax year), see Publication 538, *Accounting Periods and Methods*.

We assigned you a tax classification based on information obtained from you or your representative. It is not a legal determination of your tax classification, and is not binding on the IRS. If you want a legal determination of your tax classification, you may request a private letter ruling from the IRS under the guidelines in Revenue Procedure 2004-1, 2004-1 I.R.B. 1 (or superseding Revenue Procedure for the year at issue). Note: Certain tax classification elections can be requested by filing Form 8832, *Entity Classification Election*. See Form 8832 and its instructions for additional information.

If you are required to deposit for employment taxes (Forms 941, 943, 940, 944, 945, CT-1, or 1042), excise taxes (Form 720), or income taxes (Form 1120), you will receive a Welcome Package shortly, which includes instructions for making your deposits electronically through the Electronic Federal Tax Payment System (EFTPS). A Personal Identification Number (PIN) for EFTPS will also be sent to you under separate cover. Please activate the PIN once you receive it, even if you have requested the services of a tax professional or representative. For more information about EFTPS, refer to Publication 966, *Electronic Choices to Pay All Your Federal Taxes*. If you need to make a deposit immediately, you will need to make arrangements with your Financial Institution to complete a wire transfer.

April 5, 2012

Appendix C – Governing Bylaws

BYLAWS

Of the

Chief Tahgee Elementary Academy

An Idaho Nonprofit Corporation

October 3, 2011

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Reviewed October 3, 2011

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ARTICLE I. OFFICES

Section 1. Principal Office. The principal office of CHIEF TAHGEE ELEMENTARY ACADEMY, INC., an Idaho nonprofit corporation (the "Corporation"), is located at NW Corner of Rio Vista and Cemetery Roads, Pocatello, Idaho, 83202.

Section 2. Registered Office. The registered office of the Corporation to be maintained in the state of Idaho is located at Route 2 North Box 76B, Pocatello, Idaho 83202, and may be changed from time to time by the Board of Trustees.

ARTICLE II. PURPOSE

The purpose of the Chief Tahgee Elementary Academy is to provide high quality, Heritage Language Immersion Education (i.e. Shoshoni/Bannock) for children in grades kindergarten through sixth grade that meets and exceeds Idaho education standards established by the State Board of Education.

ARTICLE III. MEMBERSHIP

Section 1. Voting Membership. Members include all persons at least eighteen years of age who are: Shoshone-Bannock Tribal members, those individuals living within the boundaries of the Fort Hall Indian Reservation, parents/guardians/acting custodians of enrolled students, founders, and employees.

Section 2. Voting. Each member is entitled to vote on matters submitted to a vote of the members. Conditions for the suspension or termination of a voting membership may be established the Board of Trustees and recorded in the minutes of the proceedings.

ARTICLE IV. BOARD OF TRUSTEES

Section 1. Powers. The Board of Trustees of the Chief Tahgee Elementary Academy is responsible for supervision and control of the business, property, and affairs of the Corporation, except as otherwise expressly provided by law, the Articles of Incorporation, and these Bylaws. The Board

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shall conduct or direct the affairs of the Chief Tahgee Elementary Academy and exercise its powers, subject to applicable education law, not-for-profit corporation law, Idaho Nonprofit Corporations Act, the Academy's Charter, and these Bylaws. The Board may formally delegate appropriate management of the activities of the Corporation to others, so long as the affairs of the Academy are managed, and its powers are exercised, under the Board's ultimate jurisdiction. Authority is given to the Chief Tahgee Elementary Academy's Board of Trustees by the State of Idaho as provided in the "Public Charter Schools Act of 1998" (*I.C. §§33-5201*).

1.1. General Responsibilities. The Board of Trustees shall be responsible for ensuring that the school is in compliance with all applicable tribal, federal, and state education standards, all applicable tribal, federal, and state laws, rules, regulations and policies, as well as the terms and conditions of the charter. The Board shall:

- 1.1.1. Issue or cause to be issued an annual report, including a financial report, of the corporation;
- 1.1.2. Provide for annual financial, governance, and educational audits;
- 1.1.3. Approve all expenditures;
- 1.1.4. Apply for federal, state, private, and other sources of funding which may assist in meeting the goals and purposes of the corporation;
- 1.1.5. Establish procedures and policies which will govern and provide oversight for the expenditures and respective requirements of any such funding;
- 1.1.6. As needed, secure the services of an attorney and/or legal counsel;
- 1.1.7. Provide information to the media regarding the purposes, goals, projects, activities, and successes of the corporation;
- 1.1.8. Secure general liability and errors and omissions insurance as customary and proper for the operation of similar non-profit corporations;
- 1.1.9. Hire and terminate all faculty and non-classified employees of the Chief Tahgee Elementary Academy;
- 1.1.10. Negotiate the terms for and secure independent contracts;
- 1.1.11. To conduct any and all business of the organization to ensure the health and welfare of the corporation and its goals and purposes.

Section 2. Conflicts of Interest. In the event that a Trustee has a conflict of interest that might limit fair and impartial participation in Board deliberations or decisions, the Trustee will inform the

Board about the conflict. If the circumstances require the nonparticipation of the affected Trustee, the Board may nonetheless request additional, non-confidential information from the Trustee that may assist in deliberations and decision-making. "Conflict of Interest," includes any transaction by or with the Corporation in which a Trustee has a direct or indirect personal interest, or any transaction in which a Trustee is unable to exercise impartial judgment or otherwise act in the best interests of the Corporation.

Section 3. Number and Qualifications. The Board of Trustees of the Chief Tahgee Elementary Academy will consist of seven (7) members. The members of the initial incorporating Board of Trustees of the Corporation are the three (3) individuals named in the Articles of Incorporation who will serve until their successors are appointed at the first organizational meeting of the Corporation after filing Articles of Incorporation.

3.1 Ex-Officio Members. The Board of Trustees designates the Director of School Programs as an ex-officio member of the Board, and the Board may appoint other ex-officio members as it sees fit.

3.2 Qualifications. To qualify as a member of the Board of Trustees, an individual must be at least eighteen years of age and cannot be an employee of the Chief Tahgee Elementary Academy.

Section 4. Terms of Office. In order to sustain the Vision of Chief Tahgee Elementary Academy, provide for continuity in board membership, and stagger the terms of office, the governing Board of Trustees will be divided into two classes: appointed and elected.

4.1 Appointed Trustees. Four governing board positions are designated as appointed; these appointments will be determined by a two-thirds (2/3) vote of the Board of Trustees.

4.1.1 One (1) appointed position is reserved for a "Founder" of Chief Tahgee Elementary Academy; the term of office for this position is indefinite. Reappointments to this position will occur when the trustee resigns, removed with cause, or is no longer able to serve. Once vacated, the appointee to this position will be selected at the next regularly scheduled Board meeting.

4.1.2 One (1) appointed position is reserved for a Shoshone-Bannock Tribal Language and Culture Representative; the term of office for this position is indefinite. Reappointments to this position will occur when the trustee resigns, removed with cause, or is no longer able to serve. Once vacated, the appointee to this

position will be selected at the next regularly scheduled Board meeting. Qualifications and criteria for this position are determined by the Board of Trustees and delineated in board policy.

4.1.3 Two (2) trustees initially will be appointed to serve six (6) year terms. Successional appointees in these positions will serve three (3) year terms.

4.2 Elected Trustees. Three governing board members initially will be appointed to serve five (5) year terms. At the end of the initial five-year term, these positions will be filled through election by the voting membership for three (3) year terms of service.

Section 5. Term Limits. There will be no term limits imposed on Board of Trustee members.

Section 6. Resignation. Any Trustee may resign at any time by giving written notice to the Chair of the Corporation. The resignation will take effect upon acceptance by the Board of Trustees at its next regularly schedule meeting.

Section 7. Removal. Trustees serve at the pleasure of the Board and the membership. Trustees may be removed with cause by a two-thirds (2/3) vote of the Board of Trustees. Removal of Trustees shall be by established policy that provides due process for the Trustee in question.

Section 8. Vacancies. The Board of Trustees has the authority to appoint any persons to vacancies on the Board to fulfill the unexpired term.

Section 9. Compensation. The Board of Trustees serves without compensation.

Section 10. Loans. The Corporation will not lend money to or use its credit to assist its Trustees or employees.

Section 11. Notices. All Trustees will receive diligent notice of all meetings by oral or written means. Oral notice may be communicated through telephone or voice mail. Written notice may be delivered personally or sent by mail or email to each Trustee at her/his mailing address or email address as shown by the records of the Corporation. The purpose of any special meeting of the Board will be specified in the notice of the meeting.

11.1 Notice of any special meeting of the Board of Trustees will be given at least five (5) calendar days before meeting.

11.2 Notice of any emergency meeting of the Board of Trustees will be given at least twenty-four (24) hours before meeting.

ARTICLE V. MEETINGS

Section 1. Meetings of the Board of Trustees. Pursuant to the provisions of the Idaho Open Meeting Law, all meetings of the Board are open to the public except when the Board may exercise its right to close meetings to the public at those times when appropriate.

Section 2. Special Meetings. Special meetings of the Board of Trustees will be held at the call of the Chair whenever there is sufficient business to come before the Board, or upon the written request of four (4) Trustees of the Board.

Section 3. Emergency Meetings. Emergency meetings of the Board of Trustees will be held at the call of the Chair whenever there is sufficient business to come before the Board, or upon the written request of four (4) Trustees of the Board.

Section 4. Place of Meetings. The Board of Trustees may designate any place as the place of meeting for any regular meeting or for any special meeting.

Section 5. Notice of Meetings. The Secretary will attempt to give notice to as many members as reasonably practical by (1) posting notice at the principal office; (2) community newspaper publications; (3) Sho-Ban News; (4) publication on the Corporation's website; (5) Tribal Business Center; and (6) Fort Hall Post Office.

Section 6. Waiver of Notice. Whenever any notice is required to be given to any member under the provisions of the Idaho Nonprofit Corporation Act as set forth in Title 30, Chapter 3, Idaho Code, under the provisions of the Articles of Incorporation, or the Bylaws, a waiver in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, will be deemed equivalent to the giving of such notice.

Section 7. Quorum. Four (4) members of the Board of Trustees will constitute a quorum for the transaction of business at any meeting of the Board, but if less than a majority of the Trustees are present at any meeting, the meeting will be rescheduled. The Board of Trustees may permit any or all Trustees to participate in regular, special, or emergency meetings by, or conduct the meeting through the use of, any means of synchronous communication by which all Trustees participating may simultaneously hear each other during the meeting.

Section 8. Manner of Acting. The act of the majority of the Trustees present at a meeting at which a quorum is present will be the official act of the Board of Trustees, unless otherwise provided by law or by these Bylaws.

Section 9. Voting. Trustees in attendance must vote on all issues. Voting will be by "yes," "no," or "abstain."

Section 10. Agendas. The agenda of the Board of Trustees will be prepared, or cause to be prepared, by the Chair in consultation with Board members, staff members and other groups or individuals directly concerned. The agenda will be subject to review and approval by the Board of Trustees.

Section 11. Parliamentary Procedure. Except as provided by specific stipulations in the Bylaws of the Board, the Board will conduct all of its meetings in accordance with Robert's Rules of Order (Newly Revised).

Section 12. Board Minutes. The minutes of all open meetings of the Board are recorded and filed in the Academy's office. Minutes are considered public property after approval by the Board and are available to the public.

ARTICLE VI. OFFICERS

Section 1. Officers. The officers of the Corporation will consist of a Chair, Vice-Chair, Secretary and Treasurer. The Corporation may designate other officers as the Board of Trustees may deem necessary, and such officers will have the authority prescribed by the Board.

Section 2. Election and Term of Office. The officers of the Corporation will be elected annually by the Board of Trustees at the first meeting of the fiscal year. If the election of officers will not be held at such meeting, such election will be held as soon as possible thereafter. Each officer will hold office until their successor will be duly elected and qualified. The officers will hold office for one (1) fiscal year.

Section 3. Vacancies. Vacancies may be filled or a new office created and filled at any meeting of the Board of Trustees.

Section 4. Removal. Any officer may be removed for a cause by an affirmative vote of five (5) Trustees of the Board.

Section 5. Resignation. Any officer may resign at any time by giving written notice to the Chair of the Board. Such resignation will take effect at the time specified in the notice, or if not time is specified, then the resignation will take effect at the time accepted by the Board of Trustees at its next regularly schedule meeting

Section 6. Duties of the Chair. The Chair will preside at all meetings of the Board of Trustees and will vote on all issues. The Chair will sign with the Secretary, or any other proper officer of the Corporation authorized by the Board of Trustees, any deed, mortgage, bond, contract, or other instrument which the Board of Trustees has authorized to be executed, except in cases where the signing and execution thereof will be expressly delegated to some other officer or agent of the Corporation. In consultation with Board members, staff members and other groups or individuals directly concerned, the Chair will prepare, or cause to be prepared the Board agendas and will call to order as well as adjourn all meetings. In general, the Chair will perform all duties incident to the office of chair and any other duties that from time to time may be prescribed by the Board of Trustees.

Section 7. Duties of the Vice-Chair. The Vice-Chair will maintain order within the board meetings at all times and ensure all Bylaws and traditions are respected by everyone. The Vice-Chair will ensure that parliamentary procedures are followed. In the absence of the Chair, or in the event of inability or refusal to act, the Vice-Chair will perform the duties of the Chair, and when so acting, will have all the powers of, and be subject to all the restrictions upon, the Chair. The Vice-Chair will perform all duties incident to the office of vice-chair and such other duties from time to time as may be assigned by the Chair or by the Board of Trustees.

Section 8. Duties of the Secretary. The Secretary will keep or cause to be kept, the official minutes of the meetings of the Board of Trustees in one or more books provided for that purpose. The Secretary will see that all notices are duly given in accordance with the provisions of these Bylaws, or as required by law and be custodian of the corporate records and corporate seal. In general, the Secretary will perform all duties incident to the office of secretary and any other duties as from time to time may be assigned by the Chair or the Board of Trustees.

Section 9. Duties of the Treasurer. The Treasurer will have charge and custody of and be responsible for all funds and securities of the Corporation. The Treasurer will assure that appropriate staff receive and give receipts for money due and payable to the Corporation from any source whatsoever and deposit all monies in the name of the Corporation in such bank or other financial institution as will be selected by the Board of Trustees. In general, the Treasurer will perform all the duties incident to the office of treasurer and any other duties as from time to time may be assigned by the Chair or the Board of Trustees.

ARTICLE VII. COMMITTEES

The Board of Trustees, by action adopted by five (5) Trustees, may designate and appoint one or more committees, work groups, task forces, or other advisory group. No committee, work group, task force, or other advisory group will have the authority to amend or repeal these Bylaws, elect or remove any officer or Trustee, adopt policies, adopt a plan of merger, or authorize the voluntary dissolution of the Corporation. Potential committee members may be required to submit an application, vitae, resume, or biography to be considered for appointment.

ARTICLE VIII. STAFF

Section 1. Director of School Programs. The Director of School Programs will serve at the pleasure of the Board of Trustees. He/She will have oversight of the day-to-day operations of Chief Tahgee Elementary Academy. Compensation for the Director of School Programs will be similar to that of an Idaho educational administrator with similar responsibilities and follow the guidelines established by the Internal Revenue Service for nonprofit executive compensation.

Section 2. Faculty and Non-classified Staff. All faculty and non-classified staff are retained by the Board of Trustees and accountable to Director of School Programs.

Section 3. Classified Staff. All classified staff is retained by the Director of School Programs and accountable to Director of School Programs.

ARTICLE IX. MISCELLANEOUS

Section 1. Indemnification. The Corporation will indemnify any Trustee, officer or former Trustee or officer of the Corporation against expenses actually and reasonably incurred by him/her in connection with the defense of any action, suit or proceeding, civil or criminal, in which he/she is made a party by reason of being or having been a Trustee or officer, except in relation to matters as to which he/she is adjudged in such action, suit or proceeding to be liable for negligence or misconduct in the performance of duty to the Corporation.

Section 2. Depositories. All funds of the Corporation not otherwise employed will be

deposited from time to time to the credit of the Corporation in such banks, savings and loan associations, trust companies, or other depositories as the Board of Trustees may elect.

Section 3. Contracts. The Board of Trustees may authorize any officer(s) or agent(s) of the Corporation, in addition to the officers authorized by these Bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation, and such authority may be general or confined to specific instances.

Section 4. Checks, Drafts, Payments, & Notes. All checks, drafts, or orders for the payment of money, notes or other evidence of indebtedness issued in the name of the Corporation will be signed by such persons and in such manner as directed the Board of Trustees.

Section 5. Investment. At the discretion of the Board of Trustees and in accordance with the purpose, philosophy, and investment policy of the Chief Tahgee Elementary Academy, any funds of the Corporation which are not needed currently for the activities of the Corporation may be invested in any investments that are permitted by applicable laws.

Section 6. Annual Audit. A public accountant will audit the financial books and records of the Corporation annually.

Section 7. Annual Report. The Board of Trustees shall issue, or cause to be issued, an Annual Report of the Corporation.

Section 8. Books and Records. The Corporation will keep correct and complete books and records of accounts and will also keep minutes of the proceedings of its members, Board of Trustees, and committees having any of the authority of the Board of Trustees, and will keep a record giving the name and address of the members entitled to vote. All books and records of the Corporation may be inspected by any member or her/his agent or attorney or the general public for any proper purpose at any reasonable time.

Section 9. Nondiscrimination. This Corporation is an equal opportunity employer and will make available its services without regard to race, creed, ancestry, national or ethnic origin, age, sex, color, or religion.

Section 10. Indian Preference. The Corporation realizes that its school and business is located on the Fort Hall Indian Reservation and respects the Shoshone-Bannock Tribes legal rights to business activity and Indian preference laws. This Corporation shall abide by the Tribes' Business License Act and the Tribal Employment Rights Ordinance in training, employment, and contracting.

Section 11. Political Activity. The Corporation will not, in any way, use any funds in the

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furtherance of, nor engage in, any political activity for or against any candidate for public office. However, this Bylaw will not be construed to limit the right of any official or member of this Corporation to appear before any legislative committee, to testify as to matters involving the Corporation.

Section 12. Gifts. The Board of Trustees may accept, on behalf of the Corporation, any contribution, gift, bequest, or devise for the general purposes or for any special or educational purposes of the Corporation.

Section 13. Dues. There are no membership dues.

ARTICLE X. AMENDMENTS

These Bylaws may be altered, amended or repealed and a new set of Bylaws adopted by an affirmative vote of five (5) Trustees of the Board of Trustees. At least ten (10) days prior, written notice setting forth a proposed action and time and place of meeting will be given to all Trustees.


CERTIFICATION

WE, THE UNDERSIGNED, being the duly elected Officers of the Board of Trustees of the Corporation do hereby certify that the foregoing Bylaws of the Chief Tahgee Elementary Academy, Inc., have been duly adopted as the official Bylaws of the Corporation by resolution and consent of the Trustees of the Corporation on this 3rd day of October, 2011.


Chair


Vice-Chair


Treasurer


Secretary

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APPENDIX A. DEFINITION OF TERMS

Academy – Academies are established in a way that is intended to be "creative" and "innovative" in order to give them the freedoms considered necessary to deal with the long-term issues they are intended to solve. In regard to these Bylaws, a term used to reference Chief Tahgee Elementary Academy.

Appointed Board Member – An assigned or designated position by the Board of Trustees

Articles of Incorporation – The primary rules governing the management of a corporation in the United States. Articles of Incorporation are filed with the Secretary of State's office.

Board Meetings (Emergency) - An emergency board meeting is a special meeting called because of circumstances that, in the judgment of the public body, require immediate consideration by the public body, and one where circumstances will not permit the public body to wait the five days to give notice of a special meeting. Emergency meetings must be preceded by specific notice to the board members.

Board Meetings (Regular) – Board meetings scheduled to occur regularly on a designated day of each month.

Board Meetings (Special) - A special board meeting is called because of circumstances that, in the judgment of the public body, requires special consideration by the public body and cannot wait until the next regularly scheduled board meeting. Special meetings must be preceded by specific notice to the board members.

Board Member – A person sharing the responsibility and liability for the organization with the rest of the members of a governing body that has supervisory powers.

Board of Trustees - A governing board elected or appointed to direct the policies of an educational institution.

Board Officer - A board leadership position; typically refers to the chair, vice-chair, secretary, or treasurer.

Board Policy - A written plan used to influence and determine decisions or actions about specific issues of governance.

Board Procedures - Standard, detailed steps, techniques, or tactics that prescribe how to perform specific tasks.

Bylaws - The legal operating guidelines for a board.

Charge and Custody - The duty, responsibility, or obligation to keep safe and guard.

Charter - Confers powers and rights from the state or an organization to people, local chapters, or corporations.

Conflict of Interest - A situation in which the personal or professional concerns of a board member or a staff member affect his or her ability to put the welfare of the organization before personal benefit.

Corporation - A legal entity that exists to perpetuity until it is dissolved; a 'fictitious person,' separate from its managers or governors, usually given the same rights and obligations as natural persons.

Custodian - One that has charge of something; a caretaker, guardian, or keeper.

Dissolution - The formal procedure by which a nonprofit ceases to operate or exist; involves filing with the state and distribution of assets.

Education Law - The body of state and federal constitutional provisions; local, state, and federal statutes; court opinions; and government regulations that provide the legal framework for educational institutions.

Education Standards - Educational standards define the knowledge and skills students should possess at critical points in their educational career.

Elected Board Member – A position on the Board of Trustees selected by the membership through vote.

Ex-Officio Member - "By reason of their office"; a person serving on a board due to his or her position or status rather than through elections.

Fiscal Year - A 12-month period for which an organization plans the use of its funds.

Founder – Founder is defined in Section 33-5202 A (3), Idaho Code, and means a person, including employees or staff of a public charter school, who makes a material contribution toward the establishment of a public charter school in accordance with criteria determined by the board of directors of the public charter school, and who is designated as such at the time the board of directors acknowledges and accepts such contribution. The criteria for determining when a person is a founder shall not discriminate against any person on any basis prohibited by the federal or state constitutions or any federal, state, or local law.

Indemnification/Indemnify - A guarantee by an organization to rely on its own resources to pay board members' legal costs for claims that result from board service.

Independent Contractor - An individual or business that is contracted to perform a specific project or service for a specified amount. All independent contractors are retained by the Board of Trustees unless otherwise specified in board policy.

Indian Preference – As detailed in the Tribal Employment Rights Ordinance, it is the process of selecting a person for employment based upon a preference applied when two or more persons are considered equally strong employee applicants following an interview of a pool of qualified applicants.

Insurance (Errors and Omissions) - Insurance coverage that protects professionals against claims of financial loss arising from their actual or perceived negligence, errors, and mistakes in the performance of service for others.

Insurance (General Liability) - Policy that covers civil liabilities to third parties, arising from bodily injury, property damage, or other wrongs due to the action or inaction of the insured. It covers only civil liabilities and not criminal liabilities.

Heritage Language Immersion Education - Language immersion is a method of teaching a Heritage Language in which the target language is used as the means of instruction. Unlike more traditional language courses, where the target language is simply the subject material, language immersion uses the target language as a teaching tool, surrounding or "immersing" students in the second language.

Nonprofit Executive Compensation - The IRS requires compensation packages for nonprofit executives to be reasonable when taking into consideration the actual job description, required level of education or experience, similar compensation averages in the local area, number of hours worked, and the overall budget of the nonprofit.

Not-for-Profit Corporation Law - The body of state and federal constitutional provisions; local, state, and federal statutes; court opinions; and government regulations that provide the legal framework for not-for-profit corporations.

Parliamentary Procedure - Generally accepted rules, precedents, and practices used in the governance of deliberative assemblies.

Political Activity - Political activity is defined as activity directed toward the success or failure of a political party, candidate for partisan political office, or a partisan political group.

Public Charter School - A public funded school operated independently of the local school board, often with a curriculum and educational philosophy different from the other schools in the system.

Quorum - A minimum number of people required at a meeting in order for business to be conducted.

Self-Perpetuating Position – A position that renews or perpetuates itself for an indefinite length of time.

Staff (Classified) - School employees who are not required to hold credentials, such as bus drivers, secretaries, custodians, substitute teachers, instructional aides, food service workers, and some management personnel.

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Staff (Faculty and Non-classified) - School employees who are required to hold credentials, such as the principal, other administrators, teachers, and language instructors.

Synchronous Communication - Synchronous communication is direct communication where the communicators are time synchronized. This means that all parties involved in the communication are present at the same time. This includes, but is not limited to, a telephone conversation (not texting), a board meeting, a chat room event, and instant messaging.

Trustee - A person sharing the responsibility and liability for an educational institution with the rest of the members of a governing body that has supervisory powers.

Vitae - A vitae is a written description of an individual's work experience, educational background, and skills; it is more detailed than a resume.

Voting Membership – The voting membership controls an organization through elections of individuals to a governing board and has the right to voice concerns and make suggestions at regularly scheduled meetings.

Appendix D – 501(c)(3) Application

Form 1023 (Rev. 6-2006) Name: Chief Tahgee Elementary Academy EIN: 45 – 3150830 Page 12

Part XI User Fee Information

You must include a user fee payment with this application. It will not be processed without your paid user fee. If your average annual gross receipts have exceeded or will exceed \$10,000 annually over a 4-year period, you must submit payment of \$750. If your gross receipts have not exceeded or will not exceed \$10,000 annually over a 4-year period, the required user fee payment is \$300. See Instructions for Part XI, for a definition of gross receipts over a 4-year period. Your check or money order must be made payable to the United States Treasury. User fees are subject to change. Check our website at www.irs.gov and type "User Fee" in the keyword box, or call Customer Account Services at 1-877-829-5500 for current information.

- 1 Have your annual gross receipts averaged or are they expected to average not more than \$10,000? Yes No
 If "Yes," check the box on line 2 and enclose a user fee payment of \$300 (Subject to change—see above).
 If "No," check the box on line 3 and enclose a user fee payment of \$750 (Subject to change—see above).
- 2 Check the box if you have enclosed the reduced user fee payment of \$300 (Subject to change).
- 3 Check the box if you have enclosed the user fee payment of \$750 (Subject to change).

I declare under the penalties of perjury that I am authorized to sign this application on behalf of the above organization and that I have examined this application, including the accompanying schedules and attachments, and to the best of my knowledge it is true, correct, and complete.

Please Sign Here

Sherice Gould
 (Signature of Officer, Director, Trustee, or other authorized official)

Sherice Gould
 (Type or print name of signer)

11/4/2011
 (Date)

Trustee/Treasurer
 (Type or print title or authority of signer)

Reminder: Send the completed Form 1023 Checklist with your filled-in-application.

Form 1023 (Rev. 6-2006)

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April 5, 2012

Appendix E – Elector Signatures



Sara J. Staub
Clerk of the District Court
Ex-Officio Auditor and Recorder
(208)782-3160

JoAnne Pharis,
Chief Deputy Clerk
(208)782-3159

Mary Jo Jemmett,
Deputy Auditor/Payroll
(208)782-3156

Catherine Miles, Jury
(208)782-3157

Tami VanOrden,
Court Supervising Clerk
(208)782-3121

Marlene Jensen, Elections
(208)782-3164

General Fax
(208)785-4131

Court Fax Numbers
District: (208) 785-8057
Magistrate: (208) 782-3167

BINGHAM COUNTY CLERK

501 N. Maple St #205, Blackfoot, ID 83221

June 4, 2008

To Whom It May Concern:

Please find attached a petition to **Establish a New Idaho Public Charter**

School with 1 verified signatures of voters registered in Bingham

County. If you have any questions, please call me at 782-3164.

Sincerely,

Marlene Jensen
Election Clerk

April 5, 2012

Chief Tahgee Elementary Academy

EIN 45-3150830

Page **148** of **416**

April 5, 2012

Petition to Establish a New Idaho Public Charter School

This document is an Elector Petition and must be signed by not less than thirty (30) qualified electors of the attendance area of the new charter school. Proof of elector qualifications must be provided with the petition.

Name of Proposed New Charter School		Chief Tahgee Elementary Academy			
School District Where New Charter School will be Physically Located		Blackfoot School District #55			
<ul style="list-style-type: none"> I am currently a qualified elector in the above-named school district. I agree that the above-named proposed new charter school should be approved as an Idaho Public Charter School. 					
Electors Printed Name	Electors Signature	Street Address	City	Telephone	Date
1 LANCE B. RONCHO SR	<i>[Signature]</i>	RT 3 Box 287 DIGGER RD	BLACKFOOT	357-8556	11-8-11
2 LEO T. ANWITC	<i>[Signature]</i>	145 Box 252 BILFELD, IDAHO	BLACKFOOT	680-9822	11-8-11
3 KAREN J. CHAVEZ	<i>[Signature]</i>	144 Artime St. Post Hill	Paradise	200-2612	5/3/11
4 HEBYL L. SLIM	<i>[Signature]</i>	P.O. Box 641 FT. HALL ID	FT. HALL ID	228-0006	8/8/11
5 LINDY TITUS	<i>[Signature]</i>	250 S Oak #178	Blackfoot	923-2704	8/2/11
6 ANNE B. BROWN	<i>[Signature]</i>	Route 3 Box 250	Blackfoot	350-8746	11-8-11
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1/6/12

April 5, 2012



Sara J. Staub
Clerk of the District Court
Ex-Officio Auditor and Recorder
(208)782-3160

JoAnne Pharis,
Chief Deputy Clerk
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Magistrate: (208) 782-3167

+

BINGHAM COUNTY CLERK

501 N. Maple St #205, Blackfoot, ID 83221

June 4, 2008

To Whom It May Concern:

Please find attached a petition to **Establish a New Idaho Public Charter School** with 2 verified signatures of voters registered in Bingham County. If you have any questions, please call me at 782-3164.

Sincerely,


Marlene Jensen
Election Clerk

April 5, 2012

Petition to Establish a New Idaho Public Charter School

This document is an Elector Petition and must be signed by not less than thirty (30) qualified electors of the attendance area of the new charter school. Proof of elector qualifications must be provided with the petition.

Name of Proposed New Charter School		Chief Taghee Elementary Academy				
School District Where New Charter School will be Physically Located		Blackfoot School District #55				
<ul style="list-style-type: none"> ▪ I am currently a qualified elector in the above-named school district. ▪ I agree that the above-named proposed new charter school should be approved as an Idaho Public Charter School. 						
Electors Printed Name	Electors Signature	Street Address	City	Telephone	Date	
✓ 16 ESTHER BOYER	<i>[Signature]</i>	SANBRO ROAD	BLACKFOOT	620-9363	11/8/11	
✓ 17 LIONEL BOYER	<i>[Signature]</i>	SANBRO ROAD	BLACKFOOT	785-2965	11/08/11	
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April 5, 2012



Sara J. Staub
Clerk of the District Court
Ex-Officio Auditor and Recorder
(208)782-3160

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General Fax
(208)785-4131

Court Fax Numbers
District: (208) 785-8057
Magistrate: (208) 782-3167

BINGHAM COUNTY CLERK

501 N. Maple St #205, Blackfoot, ID 83221

Date: November 7, 2011

To Whom It May Concern:

Please find attached a petition for Chief Tahgee Elementary Academy for the office of with four (4) verified signatures of voters registered in Bingham County. If you have any questions, please call me at 782-3161.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jessica Lewis".

Jessica Lewis
Elections Clerk

Petition to Establish a New Idaho Public Charter School

This document is an Elector Petition and must be signed by not less than thirty (30) qualified electors of the attendance area of the new charter school. Proof of elector qualifications must be provided with the petition.

Name of Proposed New Charter School		Chief Tahgee Elementary Academy			
School District Where New Charter School will be Physically Located		Blackfoot School District #55			
<ul style="list-style-type: none"> I am currently a qualified elector in the above-named school district. I agree that the above-named proposed new charter school should be approved as an Idaho Public Charter School. 					
Electors Printed Name	Electors Signature	Street Address	City	Telephone	Date
1. Alana Baskin	<i>Alana Baskin</i>	RT 3 Box 230	Blackfoot	200-3746	11-3-11
2. Karen J. Chavez	<i>Karen J. Chavez</i>	P.O. Box 183	Fort Hall	200-2012	11-4-11
3. Travis Lee	<i>Travis Lee</i>	655 Morrison DR.	Blackfoot	207-0752	11-6-11
4. CHARLIE BALDWIN	<i>Charlie Baldwin</i>	RT 3 Box 25	Blackfoot	478-3708	11-6-11
5. ROSE ANN ABRAHAMSON	<i>Rose Ann Abrahamson</i>	Box 208	Fort Hall	201-4843	11-6-11
6. Anna George	<i>Anna George</i>	RT 3 Box 230	Blackfoot	228-0510	11-6-11
7. Camille R. V. George	<i>Camille R. V. George</i>	Box 202	Blackfoot	785-3284	11-6-11
8. ELAISE G. LOPEZ	<i>Elaise G. Lopez</i>	RT 3 Box 290	Blackfoot	223-7130	11-06-11
9. Edmund Wilbur	<i>Edmund Wilbur</i>	0000 000	Blackfoot	285-4241	11-6-11
10. E. J. M. M. M.	<i>E. J. M. M. M.</i>	RT 3 Box 210, Blackfoot	Blackfoot	785-0000	11-6-11
11. Peggy A. Garcia	<i>Peggy A. Garcia</i>	R.R. 1 Box 734	Blackfoot	223-4148	11-06-11
12. Nancy L. Moore	<i>Nancy L. Moore</i>	RT 3 Box 773A	Blackfoot	785-1544	11-6-11
13. H. H. H. H.	<i>H. H. H. H.</i>	RT 3 Box 227, 83221	Blackfoot	225-0235	11-6-11
14. M. M. M. M.	<i>M. M. M. M.</i>	RT 3 Box 200	Blackfoot	251-4645	11-6-11
15. Dawn D. M. M.	<i>Dawn D. M. M.</i>	RT 3 Box 200 B	Blackfoot	785-0656	11-6-11
16. Lizzie Boyd	<i>Lizzie Boyd</i>	RT 3 Box 810 B	Blackfoot	785-0050	11-6-11
17. LeeAnn Dixey Avila	<i>LeeAnn Dixey Avila</i>	RT 3 Box 210 B	Blackfoot	785-0675	11-6-11

4/11/12

April 5, 2012



Sara J. Staub
Clerk of the District Court
Ex-Officio Auditor and Recorder
(208)782-3160

JoAnne Pharis,
Chief Deputy Clerk
(208)782-3159

Mary Jo Jemmett,
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Court Supervising Clerk
(208)782-3121

Marlene Jensen, Elections
(208)782-3164

General Fax
(208)785-4131

Court Fax Numbers
District: (208) 785-8057
Magistrate: (208) 782-3167

BINGHAM COUNTY CLERK

501 N. Maple St #205, Blackfoot, ID 83221

Date: November 7, 2011

To Whom It May Concern:

Please find attached a petition for Chief Tahgee Elementary Academy for the office of with five (5) verified signatures of voters registered in Bingham County. If you have any questions, please call me at 782-3161.

Sincerely,

Jessica Lewis
Elections Clerk

Petition to Establish a NEW Idaho Public Charter School

This document is an Elector Petition and must be signed by not less than thirty (30) qualified electors of the attendance area of the new charter school. Proof of elector qualifications must be provided with the petition.

Name of Proposed New Charter School		CHIEF TAHEE ELEMENTARY ACADEMY			
School District Where New Charter School will be Physically Located		BLACKFOOT SCHOOL DISTRICT #53			
<ul style="list-style-type: none"> I am currently a qualified elector in the above-named school district. I agree that the above-named proposed new charter school should be approved as an Idaho Public Charter School. 					
Electors Printed Name	Electors Signature	Street Address	City	Telephone	Date
1 Juan L. Bruncha	Juan L. Bruncha	Rt 3 Box 44 Diggins BIKET	BIKETA	785-3477	2/14/11
2 Donna	Donna	Rt 3 Box 294 Diggins Rd. Bina Bluff	Bina Bluff	785-3477	2-14-2011
3 Luanne Denny	Luanne Denny	PO Box 383 London Rd. Pittsburg	Pittsburg	242-8779	2-16-2011
4 Donna	Donna	Rt 3 Box 257 #210297	BIKETA	223-0146	2/17/2011
5 Audrey Arvise	Audrey Arvise	Rt 2 Box 48	Pocatello	406-6639	2/18/2011
6 Donna	Donna	Rt 2 Box 48	Pocatello	406-6639	2/18/2011
7 Donna	Donna	Rt 6 Box 87	DOC	731-1050	2/18/2011
8 Donna	Donna	PO Box 46	Fort Hall	221-8150	2/19/2011
9 Donna	Donna	1186 Washington St.	Pocatello	228-2707	2/18/11
10 Donna	Donna	441 W. Scamie Rd. Granger	Granger	244-7661	2/21/11
11 Peter Lipovace	Peter Lipovace	Rt 3 Box 282 Diggins Sandy Bluff	BIKETA	785-4790	2-22-11
12 Donna	Donna	PO Box 10	Pocatello	406-6639	2/23/2011
13 Richard J. Kitchin	Richard J. Kitchin	Rt 2 W. Box 70R	Pocatello, ID	292-7314	2/23/2011
14 Donna	Donna	800 W. Riverston Rd	BIKETA, ID	357-8022	11/3/2011
15 Donna	Donna	500 W. Bannock Rd.	FT. HALL ID	200-2012	11-8-2011

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April 5, 2012



Sara J. Staub
Clerk of the District Court
Ex-Officio Auditor and Recorder
(208)782-3160

JoAnne Pharis,
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Marlene Jensen, Elections
(208)782-3164

General Fax
(208)785-4131

Court Fax Numbers
District: (208) 785-8057
Magistrate: (208) 782-3167

BINGHAM COUNTY CLERK

501 N. Maple St #205, Blackfoot, ID 83221

Date: November 7, 2011

To Whom It May Concern:

Please find attached a petition for Chief Tahgee Elementary Academy for the office of with six (6) verified signatures of voters registered in Bingham County. If you have any questions, please call me at 782-3161.

Sincerely,

Jessica Lewis
Elections Clerk

Petition to Establish a New Idaho Public Charter School

This document is an Elector Petition and must be signed by not less than thirty (30) qualified electors of the attendance area of the new charter school. Proof of elector qualifications must be provided with the petition.

Name of Proposed New Charter School		Chief Tahgee Elementary Academy			
School District Where New Charter School will be Physically Located		Blackfoot School District #55			
<ul style="list-style-type: none"> I am currently a qualified elector in the above-named school district. I agree that the above-named proposed new charter school should be approved as an Idaho Public Charter School. 					
Elector's Printed Name	Elector's Signature	Street Address	City	Telephone	Date
1 Velda R. Racehorse	<i>Velda R. Racehorse</i>	W. Ferry butte Road	FOOT HALL	(208) 478-4005	11-3-11
2 Marceline P. Boyer	<i>Marceline P. Boyer</i>	Sewibe Road	Blackfoot, ID	208 785-2965	11/3/11
3 Leo T. Arwite	<i>Leo T. Arwite</i>	Wauke Road + U.S. 91	Blackfoot, ID	208 478-4025	11-3-11
4 Leo T. Arwite	<i>Leo T. Arwite</i>	PO Box 9786 7725	PO Box 9786	208-223-8220	11-3-11
5 Lavern M. Broncho SR	<i>Lavern M. Broncho SR</i>	RT-3, Box 287 RCT IDA	BLACKFOOT	208-357-8550	11-3-11
6 Mary Lois Boyb21	<i>Mary Lois Boyb21</i>	Capitol St. Tomsco, ID	Blackfoot	208-357-0000	11-23-11
7 Nancy M. Murrell	<i>Nancy M. Murrell</i>	9401 E. East Starbuck Rd.	PO Box 663	208 478 3228	11/23/2011
8 Carolyn B. Smith	<i>Carolyn B. Smith</i>	P.O. Box 418	Fort Hall	208 221 0326	11/3/2011
9 Merte M. Smith	<i>Merte M. Smith</i>	P.O. Box 418	Fort Hall	208 221 0326	11/3/2011
10 KRONEL O. BOYER	<i>KRONEL O. BOYER</i>	RR#3 Box 249	BLACKFOOT	208 785 2965	11/09/11
11 ESTHER BOYER	<i>ESTHER BOYER</i>	PO Box 724	Fort Hall	208 690 9363	11/3/11
12 Shanina DAVIS	<i>Shanina DAVIS</i>	P.O. BOX 1044 EXT 005 SIMPSON	Fort Hall	208 221 0340	11/3/11
13 Mary M. DAVIS	<i>Mary M. DAVIS</i>	RR-6 Box 123 Simplot Rd	PO Box 123	208-221-6285	11/3/11
14 Wynne B. Boyer	<i>Wynne B. Boyer</i>	RR3 Box 253 Sandid Rd	Blackfoot ID	208-690-1024	11/4/11
15 Lanielle Pekihiro	<i>Lanielle Pekihiro</i>	P.O. Box 1397 Pekihiro Lane	Blackfoot ID	208-690-9667	11-4-11

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4/16/2008

April 5, 2012



Sara J. Staub
Clerk of the District Court
Ex-Officio Auditor and Recorder
(208)782-3160

JoAnne Pharis,
Chief Deputy Clerk
(208)782-3159

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Catherine Miles, Jury
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Court Supervising Clerk
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Marlene Jensen, Elections
(208)782-3164

General Fax
(208)785-4131

Court Fax Numbers
District: (208) 785-8057
Magistrate: (208) 782-3167

BINGHAM COUNTY CLERK

501 N. Maple St #205, Blackfoot, ID 83221

Date: November 8, 2011

To Whom It May Concern:

Please find attached a petition to Establish a New Idaho Public Charter

School with fourteen (14) verified signatures of voters registered in Bingham

County. If you have any questions, please call me at 782-3161.

Sincerely,

Jessica Lewis
Elections Clerk

April 5, 2012

Petition to Establish a New Idaho Public Charter School

This document is an Elector Petition and must be signed by not less than thirty (30) qualified electors of the attendance area of the new charter school. Proof of elector qualifications must be provided with the petition.

Name of Proposed New Charter School	Chief Tahgee Elementary Academy
School District Where New Charter School will be Physically Located	Blackfoot School District #55

- I am currently a qualified elector in the above-named school district.
- I agree that the above-named proposed new charter school should be approved as an Idaho Public Charter School.

Electors Printed Name	Electors Signature	Street Address	City	Telephone	Date
1. Theresa Vupe	Theresa Vupe	Rt 3 Box 181-A	Blackfoot	208-851-2672	11-7-11
2. Millicent S. Brown	Millicent S. Brown	Rt. 3 Box 181-A	Blackfoot	(208) 240-3542	11-7-11
3. MIKE RODRIGUEZ	Mike Rodriguez	Rt 3 Box 181-A	Blackfoot	240-3542	11/7/11
4. Jacob Hupf	Jacob Hupf	Rt 3 Box 181-A	Blackfoot	208-851-1556	11-7-11
5. Stacy Weaver	Stacy Weaver	800 W Riverston Rd	Blackfoot	208-762-5209	11-8-11
6. C.B. Weaver	C.B. Weaver	602 W Riverston Rd	Blackfoot	208-765-3166	11-8-11
7. Lisa Lindsay	Lisa Lindsay	443 N Fisher #2	Blackfoot	208-851-9207	11-8-11
8. Dallen Worthington	Dallen Worthington	685 W 300 S	Blackfoot	208-785-1984	11-8-11
9. Yukiko Matsuda	Yukiko Matsuda	275W 200N	Blackfoot	208-785-1285	11-8-11
10. [Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
11. Jason Stewart	Jason Stewart	565 W 200 S	Blackfoot	208-785-0988	11-8-11
12. Lorie Anderson	Lorie Anderson	245 S. 625 W	Blackfoot	785-7181	11-8-11
13. Linda Hamblin	Linda Hamblin	839 W Riverston Rd.	Blackfoot	785-0666	11-8-11
14. Diana Steer	Diana Steer	213 SO 585W	Blackfoot	785-7972	11-8-11
15. [Redacted]	[Redacted]	200 S 591 W	Blackfoot	716-1062	11/8/11
16. Jason Steer	Jason Steer	213 SO 585 W	Blackfoot	785-7972	11-8-11
17. Clisea Cox	Clisea Cox	591 W 200 S	Blackfoot	317-3068	11-8-11
18. Brecken Mittelstadt	Brecken Mittelstadt	709 W Riverston	Blackfoot	785-4418	11-8-11
19. Dawn Mittelstadt	Dawn Mittelstadt	709 W Riverston	Blackfoot	785-4418	11-8-11

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Appendix F – Charter 101 Workshop



April 5, 2012

Chief Tahgee Elementary Academy

EIN 45-3150830

Page **161** of **416**



Appendix G – Discipline Policy for Students with Disabilities

PURPOSE

Chief Tahgee Elementary Academy has established the following comprehensive discipline policy and procedures for students with disabilities. The disciplinary actions may be taken by the Director of School Programs (Director) or designee. Since all discipline is intended to modify behavior and should fit the misbehavior, these actions are suggestive and not necessarily conclusive nor sequential. In all disciplinary matters, students and parents have the right to due process and to appeal decisions to the next higher level of governance. As defined by the Individuals with Disabilities Education Act (IDEA), Section 504 of the 1973 Rehabilitation Act, and Idaho Codes 33-5205 (3)(j) and 33-205, the following requirements for discipline of students with disabilities will be employed:

DUE PROCESS

As delineated by Federal Regulations and Idaho Code, all disciplinary action shall be addressed according to reasonable due process rights of all parties involved.

DISCIPLINE TIER I – CONTACT, CONFERENCE AND GUIDANCE

The first step in the disciplinary process can include one or more of the actions listed below as deemed appropriate by the principle or designee thereof.

- 1) **Conference/Contact with Parents.** The Director or designee will arrange a meeting or telephone conversation with the student's parent(s) or legal guardian and/or school personnel to discuss the student's behavior or learning process. Chief Tahgee Elementary Academy will seek the assistance of the student's parent(s) or legal guardian(s) in helping the student.
- 2) **Contact with Student.** The Director or designee will contact the student and inform him/her of the infraction. The student must agree to comply with required behavior management.
- 3) **Detention.** The Director or designee will require that a student remain in during lunch or after school for a period of time. The student is obligated to bring materials to the detention area to work on to improve his/her academic achievement at school.
- 4) **Guidance.** The Director or designee will arrange for a conversation between the student and the school personnel. The purpose of this meeting is to inform him/her that his/her behavior needs to change so that he/she does not violate the rights of others and to establish a written plan to help the student improve his/her learning capabilities.
- 5) **Rearrangement of School Schedule.** The Director or designee may assign a student a new schedule of classes and/or teachers when the behavior of the student is such that the student has not conducted himself/herself in an acceptable manner.
- 6) **Restriction of Free Time and/or Extracurricular Activities.** The Director or designee may inform a student that he/she cannot participate in certain activities because of his/her past or present behavior.
- 7) **School Clean-up.** The Director or designee may require a student to clean up certain areas of the school.

SUSPENSION

Students with disabilities may not be suspended unless the continued presence of the exceptional student in school poses a danger to himself/herself, other persons, or property, or unless there is a serious disruption of the educational process. Examples of such situations are: physical assault, or threatened

assault on a teacher or another student; action taking place on school property of a criminal nature; or continuous disruptive conduct which the school has attempted and failed to control through documented changes in the child's educational program/placement.

Students with disabilities may be suspended so long as:

- 1) Written notice is given to the parent, guardian, or acting custodian and administrator(s) of the exceptional student describing the grounds for the suspension and a brief statement of the facts.
- 2) A Child Study Team meeting (due process hearing) is called to meet within five (5) school days, to review the student's Individual Education Program and to establish a satisfactory plan for readmission or alternative education.

Ten-day Disciplinary Removal

- 1) CTEA personnel may order a disciplinary removal of a student with disabilities for not more than ten (10) cumulative school days per infraction to the extent suspension would apply to students without disabilities.
- 2) Cumulative suspensions, if over 10 school days in a school year must not constitute a significant change in placement.
- 3) In determining whether a significant change in placement has occurred, CTEA personnel, through the multi-disciplinary team process, will review whether the student is subjected to a series of removals that constitute a pattern of exclusion because they cumulate to more than ten (10) school days in a school year, and because the length of each removal, the total amount of time the child is removed, and the proximity of the removals to one another indicate such a pattern of exclusion.
- 4) Any time a student is suspended for more than ten (10) school days in a school year the student will be provided services to the extent necessary to enable the student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out on his or her IEP, as determined by CTEA personnel, in consultation with the student's special education teacher or as determined by the student's IEP Team.

Forty-five Day Disciplinary Removal

- 1) The Director or designee may order a change in placement of a student with a disability to an appropriate interim alternative educational setting, as determined by the IEP Team, for the same amount of time that a student without a disability would be subject to discipline, but for not more than forty-five (45) days if:
 - a. The student carries or possesses a weapon to or at school, on school premises, or to a school function. This term does not include a pocket knife with a blade of less than two and one-half (2 1/2) inches in length.
 - b. The student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function.
- 2) School personnel may request a change in placement to an appropriate interim alternative educational setting from a hearing officer for not more than forty-five days if it is determined by personnel that a student with a disability is substantially likely to cause injury to himself/herself, or to others in the current educational placement.
- 3) School personnel may petition the court for an injunction to remove any student with a disability from school or to change the student's current educational placement if personnel

believe that maintaining the student in the current educational placement is substantially likely to result in injury to the student or to others.

EXPULSION

An exceptional pupil may not be expelled unless the student's continued presence in school presents a danger to himself/herself, other persons, or property. Examples of emergency situations are: physical assault or threatened assault on a teacher or another student; action taking place on school property of a criminal nature; or continuous disruptive conduct which the school has attempted and failed to control through documented changes in the child's educational program/placement.

If a student on an Individualized Education Program (IEP) is expelled from school after a manifestation determination has found that the student's behavior was not a manifestation of the student's disability, educational services, consisting of services necessary to enable the student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the student's IEP will be provided to that student at an alternative setting.

If it is the judgment of the Child Study Team that a situation exists that a school provided or supported educational program is not possible, expulsion may be recommended to the Board of Trustees.

After being informed of the situation, the Board of Trustees will schedule the necessary due process hearing as outlined.

Within ten (10) calendar days following written notice of expulsion to the parent or guardian of the exceptional pupil, the Child Study Team will meet to review the exceptional pupil's individual educational program to include appropriate educational goals that can be carried out in a correctional or rehabilitative setting. The school district's individual education program for the exceptional pupil shall be presented to the court for determining an appropriate placement following expulsion.

MANIFEST DETERMINATION

Prior to submitting an expulsion recommendation to the Board of Trustees for a student with a disability, the IEP Team will conduct a manifestation determination. A manifestation determination will occur within ten (10) school days after the date on which a decision was made to recommend the expulsion.

STUDENTS WITH SECTION 504 DISABILITIES

This section addresses disciplining students with disabilities as defined by Section 504 of the 1973 Rehabilitation Act. For those students with disabilities under the Individuals with Disabilities Education Act (IDEA), the disciplinary procedures required by the IDEA will be followed. In the event a student has disabilities under both Section 504 and the IDEA, both policies shall be followed in determining appropriate disciplinary actions.

a) Suspension

- 1) A student with a disability, as defined by Section 504 of the 1973 Rehabilitation Act, may be suspended for not more than ten (10) consecutive school days per incident.
- 2) Whenever a school considers suspending a student with a disability for more than ten (10) cumulative school days in a school year, a Multi-Disciplinary Team (MDT) will be convened to determine if the cumulative suspensions constitute a significant change in placement by reviewing the following factors:
 - a. The length of each suspension;

- b. The proximity of the suspension to one another; and
 - c. The total amount of time the student is excluded from school.
- 3) The MDT will consist of individuals who are knowledgeable about the student, the student's school history, the student's individual needs, the evaluation data, and the placement options. If the MDT determines that the exclusion would constitute a significant change in placement, the school will conduct a manifestation determination as set forth below.

b) *Expulsion*

- 1) Prior to submitting an expulsion recommendation to the school Board for any student with a disability as defined by Section 504 of the 1973 Rehabilitation Act, an MDT will make a "manifestation determination." A manifestation determination involves a review of the student's misconduct, the student's disability and the services provided to determine:
 - a. Is the misconduct a manifestation, or result, of an inappropriate placement or educational program for the student?
 - b. Is the misconduct a manifestation, or result, of the student's disability?
- 2) In reviewing the questions set forth above, the MDT will review information regarding the student's disability that is recent enough to afford an understanding of the student's current behavior. In the absence of reasonably current information about the student's disability, the Trustee will conduct or cause to be conducted additional evaluation(s) regarding the student's disability before making the manifestation determination. If either manifest determination question answer is "yes," the student will not be expelled.
- 3) However, the MDT may determine that a placement change is necessary for that student.
- 4) If the answers to both the questions set forth above are "no," the school may proceed with the recommendation of expulsion to the school Board in the same manner as for similarly-situated students who do not have disabilities.
- 5) If the student's parent/guardian disagrees with the MDT's determination of the manifestation determination, a hearing may be requested with the Board of Trustees.
- 6) Although the parent/guardian may disagree with the manifestation determination findings, the student may be expelled after following the proper procedures. Educational services may cease after expulsion.

READMISSION

Readmission of any student suspended or expelled, or admission of any student who has been denied admission shall be governed by Section 33-205, Idaho Code. Students who have been expelled from the school will be eligible for readmission after (1) year, 12 calendar months.

ANNUAL REVIEW

The Board shall review this policy annually and make a good faith effort to continue to maintain a safe and secure school through implementation of the above policy.

Appendix H – Gifted and Talented Policy

PURPOSE

The Board of Trustees believes that adequate programs and services should be provided for gifted and talented students who require assistance for the development of intellectual, creative, academic, visual/performing arts, and leadership capabilities. To insure compliance with Idaho Code 33-2003, Chief Tahgee Elementary Academy will provide appropriate identification, interventions, educational settings, and activities that sustain growth and learning for identified gifted students. Existing resources will be utilized to meet these needs.

DEFINITION

Gifted and talented children are defined those students who are identified as possessing demonstrated or potential abilities that give evidence of high performing capabilities in intellectual, creative, specific academic or leadership areas, or ability in the performing or visual arts and who require services or activities not ordinarily provided by the school in order to fully develop such capabilities.

IDENTIFICATION

Chief Tahgee Elementary Academy will identify gifted and talented students using a variety of formal assessments (ISAT, Aprenda, Standardized Intelligence Test, or other equivalent assessment), informal assessments (teacher rating/observations, student records, including GPA, projects or work sample, parent questionnaire, student questionnaire, etc), and other information indicative of giftedness and/or talent (subject experts, personal references, etc.) to ensure all opportunities to be considered for the program have been met. The screening criteria will be age/grade appropriate, nondiscriminatory, and comply with the procedures set forth in all state and federal legislation.

STRATEGIC PLAN

Chief Tahgee Elementary Academy will develop program options to include, but not limited to pullout classes, competitions, independent study, curriculum compacting, mentorships, etc. The Director of School Programs (Director) or designee will develop and maintain a written educational strategic plan for its gifted and talented program. After an initial submission to the Board of Trustees and ACE, plans will be reviewed annually and submitted to the Board of Trustees and ACE every three (3) years. The gifted and talent plan will include the following:

- Philosophy statement
- Definition of giftedness
- Program goals
- Program options
- Identification procedures
- Benchmarks and program evaluation
- Implementation and evaluation timelines

GOALS

Chief Tahgee Elementary Academy’s goals for the gifted and talented program include, but are not limited to:

- Providing a learning environment that will encourage the capable student to develop to his/her individual potential while interacting with intellectual peers.
- Establishing a climate that values intellectual ability, enhances self-concept and encourages self-direction and self-evaluation.
- Encouraging the development of, and provide opportunities for using, higher level thinking skills and acceleration within the regular curriculum.

OVERSIGHT & PROFESSIONAL DEVELOPMENT

The GT Program Director will oversee all aspects of the GT program and develop a comprehensive professional development plan regarding gifted and talented education. Gifted and talented, as well as general education, personnel will receive ongoing training in order to meet the needs of gifted and talented students who are enrolled in the school.

PARENT PARTICIPATION

The Board of Trustees understands the importance of parent participation in their child's education. Consequently, Chief Tahgee Elementary Academy will make every effort to facilitate opens lines of communication with all parents/guardians/acting custodians. In accordance with Board policy and state and federal law, parents/guardians/acting custodians will receive written notice regarding identification, evaluation, and/or placement of their child in the gifted and talented program. Parents/guardians will be involved in all placement decisions regarding their child and have the right to request due process hearings at any time.

COMMUNITY PARTICIPATION

The Board of Trustees understands the importance of community participation the education process. Consequently, CTEA will make every effort to coordinate community resources for mentoring, including but not limited to elders fluent in the Shoshoni language.

ADVANCED LEARNING PLANS & RECORDS

Advanced Learning Plans (ALP) will record programming options and strategies utilized with individual students and will be part of the student's record. The ALP will be considered in educational planning and decision making concerning subsequent programming for that student and be used in the articulation process. Gifted student records will describe the body of evidence that identifies strengths, interests and needs, and the ongoing programming and student achievement results. The records will include but not be limited to:

- An accountability record providing evidence of monitoring gifted interventions and student progress through the grades.
- A result of the student profile created during the identification process and the implementation of programming services matched to the child's strengths and interests.
- A dynamic planning guide for making instructional decisions about materials, programming options and assessments for gifted and talented students based upon strengths, interests, learning characteristics and social-emotional needs.
- A document across grades that includes indication of at least one identified strength area, goal for instruction, interventions/programming services, results of achievement and goal activities and the responsible participants (personnel, parent, student).
- A tool for monitoring students with outstanding potential.
- Data for the ALP will be collected from independent work from home, regular classroom work, classroom, school, and state assessments, and/or other identified gifted programming options. It will be a part of regular cumulative folder record keeping systems.
- A document reviewing the progress and needs of the individual students will be developed with parents and the gifted student and revised at least once a year.
- The ALP will be attached to the student's report card and reviewed at the regular parent-teacher conference in order to provide for a systemic routine for ongoing monitoring.
- All ALP information will be transferred during regular registration procedures established in by CTEA. It will include policies, procedures, and question about gifted identification and/or previous gifted services.

Appendix I – Limited English Proficiency Policy & Procedures

Chief Tahgee Elementary Academy

Limited English Proficiency Program

In accordance with the CTEA philosophy to provide a quality educational program for all students, the Board will provide an appropriate planned instructional program for identified students whose dominant language is not English. The purpose of the program is to increase the English language proficiency of eligible students so that they can attain the academic standards adopted by the Board and achieve academic success. Students who have Limited English Proficiency (LEP) will be identified, assessed and provided with appropriate services.

Chief Tahgee Elementary Academy will provide a program for each student whose dominant language is not English for the purpose of facilitating the student's achievement of English proficiency and the academic standards. The program will include English as a Second Language instruction. The program will meet the three-pronged test of program compliance: (1) sound research-based education theory; (2) sufficient resources and staffed by appropriate prepared personnel; and (3) periodic program evaluation. The Board will include provisions for the LEP programs in its Strategic Plan. The Director or designee will implement and supervise an LEP program that meets the legal requirements for LEP program compliance. Chief Tahgee Elementary Academy will follow the Idaho LEP Manual guidelines on all issues regarding LEP students.

Acronyms

Some basic acronyms needed for working with LEP students:

- **ELL** – English Language Learner. This would be a general designation for an English language learner of any status and any level of proficiency. An English language learner is not necessarily in an LEP program.
- **LEP** – Limited English Proficient. An English language learner who has been tested and placed in a specific language development program. They then must be designated as a Limited English Proficient student.
- **LEP1** – Limited English Proficient – First Year. A student who qualifies as LEP AND is new to a U.S. School within the last 12 months.
- **LEPX** – Limited English Proficient – Exited. Exited from the LEP program and on 2-year monitoring status.
 - LEPX1 – first year of exited and monitored status
 - LEPX2 – second year of exited and monitored status
- **Title III** – The section in NCLB that applies funding and compliance for English language learners.
- **FEP or FLEP**- Fluent English Proficient. Fluent English proficient is the designation a student would receive after they are exited out of an LEP program and they are no longer on monitoring status.
- **ELL-W**- An English Language Learner whose parents have waived Title III funded services. These students will be provided with an English language development program, will be assessed on the IELA, and will be considered as LEP for funding purposes.

Data Collection

In order to ensure the highest quality of education to LEP students, CTEA will maintain ongoing data collection and reporting procedures and annually (each spring) provide the State Department of Education with the following data:

Student ID	Student Local District Number
Unique Student ID	Statewide Unique Student ID Number
LEP Number	Unique LEP number assigned after taking IELA
Last Name	Student Last Name
First Name	Student First Name
Middle Name	Student Full Middle Name
DOB	Date of Birth
Gender Student	Gender (M or F)
Grade Student	Grade
Ethnicity	Student Ethnicity
Native Language	Native Language
FRL	Free and Reduced Lunch
TIA	Title I
MIG	Migrant Student/Title I
GAT	Gifted and Talented
NOD	Neglected and Delinquent
HML	Homeless
SPE	Special Education
LEP Date	Date Placed in LEP Program
LEPX	2 year monitoring status
LEPX1	First year of monitoring status
LEPX2	Second year of monitoring status
LEP1	First year in the US (new to a US school within the last 12 months)
ELL-W	A student whose parents have waived Title III funded services. These students must still be coded and tested on the IELA
Immigrant Status	An immigrant student is a student who is new to a U.S. school within the past 3 years. It is required that each school document the date the student entered the U.S. for the first time. That way each district can report which students are 1st, 2 nd , and 3 rd year immigrants. Immigrant students do not necessarily have to be limited English proficient, but most are.
Teacher Information	All districts are now required to submit data each year on professional development and certifications of the teachers that serve LEP students.
Missed 20+Days	Districts are required to report if the student missed 20 or more days of instruction prior to taking the IELA.
Accommodations	Districts are required to document if accommodations are used and specifically what accommodations are used during the ISAT and IELA assessments.

Identification of LEP Students

Steps to Identify LEP Students

All students will have the opportunity to qualify for the Limited English Proficient (LEP) services if their primary home language is other than English. American Indian students will be considered for program services, but will not be identified solely on the basis they are American

Indian. The following guidelines will be used to identify Primary Home Language Other Than English (PHLOTE) students:

- 1) Chief Tahgee Elementary Academy registration cards for every new student will include at least the question: What is the primary language spoken in the home?
- 2) If a response is any language other than English, a Home Language Survey (HLS) will be sent home to the parents (See Attachment A).
- 3) If it is unclear from the HLS, a further survey, parent questionnaire, or parent conference will be initiated, so that CTEA has a clear indication on whether there is another language other than English that is influencing the child's English language proficiency.
- 4) If there is no other language present that is influencing the child's English, then they will not be given the ELL Placement test, or the Idaho English Language Assessment (IELA).
- 5) In compliance with the Office of Civil Rights (OCR) regulation, if it is clear that a native language, or dialect, is in fact influencing the English of the child and that a student may be Limited English Proficient (LEP), he/she will be tested with an ELL Placement Test within 30 days of registration or within 2 weeks (15 days) of entry into the school (if during the year).
- 6) If the student tests less than proficient on the ELL Placement test, then a letter will be sent home to the parents indicating that their child was identified as needing specific English language development services. Parents/Guardians/Acting Custodians will be given the opportunity to waive any Title III funded language development services, if desired. Students whose parents waive services will be coded as ELL-W (English language learner waived).
- 7) If a student tests at the advanced level on all domains tested with the ELL Placement test, then that student most likely does not need services. However, as any determination for special programs or services should use multiple measures, as sometimes the test scores do not seem to fit with the behaviors of the student, teacher recommendations and other measures may be employed.
- 8) If the parent/guardian/acting custodian does not waive any Title III funded language development services for their child, then the student will be placed in a program of "high quality language instruction, based on scientifically based research" (Section 3115(c)(1));
- 9) Children who qualify as LEP and who are placed in a program will be counted for state and federal funding purposes.
- 10) Once a student tests proficient on the English language proficiency test, they will be exited from the LEP program and monitored for 2 years. Students on monitoring status will be coded LEPX (now in effect: either LEPX1 or LEPX2) on the ISAT but will not be counted for state and federal funding purposes.
- 11) Those students whose parents waive Title III funded language development services will still be considered as "LEP" for state and federal funding purposes and ISAT coding. They will be served according to their needs and annually tested, according to the Office of Civil Rights.

All parents/guardians/acting custodians will be informed that they have the right to waive services provided by Title III funds. The CTEA Director or designee will discuss the issue directly with the parents, so they understand the importance of the services the school provides and that students with limited English proficiency are still required to receive assistance under the Office of Civil Rights (OCR). However, parents/guardians/acting custodians may not waive the designation of LEP for their child, nor may they waive any programs if funded in any part by State LEP funding. If a parent does waive the Title III services, CTEA will document the conversation and keep the letter on file. Even if the parent waives services, CTEA will still serve that student in a non Title III funded program and make sure he/she is successful in school, per OCR requirements for LEP students.

In addition, CTEA will assess the student with the annual Idaho English Language Assessment (IELA) even if the parent has waived Title III services. The waived student will be coded as ELL-W in the student information system. This code will be used when the student tests on the IELA.

If a parent does opt to waive services, a signed letter and/or notes from the conversation will be placed in the student's file (See Attachment B).

Assurances Letter/ No LEP Student Certification Letter

Chief Tahgee Elementary Academy, regardless of whether or not has enrolled LEP students, will file an annual LEP assurance document with the State LEP program. If LEP students are enrolled, the Assurances and Certifications letter will be file, or if no LEP students are enrolled, the No LEP student Certification letter will be signed and submitted. Either document will be filed by September 15th every school year.

Assessment of English Language Learners

Language Proficiency Test: Idaho English Language Assessment (IELA)

Chief Tahgee Elementary Academy will employ the Idaho English Language Assessment (IELA) to determine students' proficiency in the English language. In compliance with "No Child Left Behind (NCLB)", CTEA will assess LEP students with an annual English language proficiency test in addition to the state content assessment like the Idaho Standards Achievement Tests (ISAT). Students who qualify for LEP services, but whose parent's waive the Title III funded services, will still test on this annual assessment.

Chief Tahgee Elementary Academy will administer IELA each spring (approximately February – April) through the State Department of Education and the current testing vendor. Each fall CTEA comply with the pre-identification process in order to identify all eligible LEP students so that Pre-Identification labels can be generated and the correct number of tests (by grade span) can be shipped to each district. Training will be provided to each district's LEP and Testing Coordinator's in order to help facilitate the process.

Chief Tahgee Elementary Academy may choose to administer the IELA to LEPX (exited and monitored) students on an individual basis.

English Language Development Level Descriptors

Level 1 - Beginning

Students performing at mastery of this level of English language proficiency begin to demonstrate basic communication skills. They can understand brief, very simple speech on familiar topics, with visual support. They can respond to simple social talk and academic instruction by using gestures or a few words or phrases, or very simple subject-predicate sentences. With assistance, they can read very brief text with simple sentences and familiar vocabulary, supported by graphics or pictures. They can write words, phrases and very simple sentences. They exhibit frequent errors in pronunciation, grammar, and writing conventions that often impede meaning.

Beginning was chosen to reflect the skill level of English learners as they are just beginning to learn English; it refers to the mastery level after roughly six months of English language development (ELD) instruction.

Level 2 - Advanced Beginning

Students performing at mastery of this level of English language proficiency communicate with increasing ease in a greater variety of social and academic situations. They can understand brief, simple speech on mostly familiar topics, and need visual support. They can engage in basic social talk and academic instruction by using phrases or simple subject-predicate sentences. With assistance, they can read brief text with simple sentences and mostly familiar vocabulary, supported by graphics or pictures. They can write phrases and simple sentences. They exhibit frequent errors in pronunciation, grammar, and writing conventions that often impede meaning.

Advanced Beginning was chosen for the second level because Objectives at that level generally reflect advancement of skills above the Beginning level rather than lack of skills below the Intermediate level.

Level 3 - Intermediate

Students performing at mastery of this level of English language proficiency begin to expand the complexity and variety of their communication skills. They can understand speech on familiar and some unfamiliar topics, and may need some visual support. They can engage in social talk and academic instruction using increasingly detailed sentences. They can independently read simple text with mostly familiar vocabulary, and can read more complex text supported by graphics or pictures. They can write simple texts with support. They exhibit fairly frequent errors in pronunciation, grammar, and writing conventions that may impede meaning.

Intermediate tends to be a major benchmark in ELD progress; English learners with proficiency at this level can learn in various content areas in a mainstream classroom as long as the teacher provides appropriate support.

Level 4 - Early Fluent

Students performing at mastery of this level of English language proficiency communicate adequately in complex, cognitively demanding situations. They can understand social and academic speech at their grade level, and may need some visual support for unfamiliar topics. They can engage in social talk and academic instruction using detailed sentences and expanded vocabulary. They can write texts near grade level. They exhibit some errors in pronunciation, grammar, and writing conventions that usually do not impede meaning.

Level 5 - Fluent

Students performing at mastery of this level of English language proficiency communicate effectively with various audiences on a wide range of topics, though they may need further enhancement and refinement of English language skills to reach the native level of their peers. They can understand a variety of social and academic speech at their grade level. They can engage in social talk and academic instruction using varied sentence structures and vocabulary appropriate to the context. They can independently read grade-level text, including technical text. They can write expanded texts appropriate to their grade level. They may exhibit a few errors in pronunciation, grammar, and writing conventions that do not impede meaning.

Early Fluent and **Fluent** reflect the practice of considering English learners at these levels for redesignation as Fluent English Proficient status (based on a variety of appropriate measures).

Transition/Exit out of LEP Program

In order to be exited from the LEP program, CTEA students will:

1. Score at the Early Fluent level or above (EF+) on each domain tested on the IELA;

AND one of the following:

- 2) Receive an Idaho Reading Indicator (IRI) score of at least a 3, or an Idaho Standards Achievement Tests (ISATs) score that meets the “Basic” level;
- OR
- 3) Demonstrate access to mainstream content curriculum in one of the following ways:
 - Elementary: Consistent proficient scores on grade level benchmark unit assessments; or
 - Qualified teacher observations that are based on language proficiency benchmarks and criteria, with supporting portfolio of student classroom work.

Students at CTEA will not necessarily be kept in an LEP program if they are deemed “proficient” on the IELA, but are not yet at the “proficient” level on the ISAT. Student will reach the “Basic” level of proficiency on the ISAT before they are considered to be exited from the LEP program.

CTEA will detail the exit criteria on its annual LEP Plans which will be approved by the Board of Trustees and submitted to the LEP Program manager no later than June 30th of each year.

Annual Measurable Achievement Objectives

Title III of the No Child Left Behind (NCLB) Act of 2001, establishes sanctions or consequences for Local Education Agencies (LEAs), or school districts, which do not meet Title III Annual Measurable Achievement Objectives (AMAOs). An AMAO is a performance objective, or target, that all LEAs must meet each year for those students in an LEP program. Part I details NCLB requirements. Part II details the state developed annual objectives/targets and definitions. Part III details the sanctions and procedures for LEAs. Chief Tahgee Elementary Academy LEP student achievement will meet or exceed all federal and state AMAOs.

Part I: NCLB Requirements (NCLB, Title III, section 3122(b))

Chief Tahgee Elementary Academy will demonstrate annual progress and proficiency in English language acquisition of its students through:

- 1) **AMAO #1:** Annual increases in the percent or number of LEP students making progress in acquiring English language proficiency, as determined by the IELA: English Language “Progress/Growth”.
- 2) **AMAO #2:** Annual increases in the percent or number of LEP students attaining English language proficiency by the end of the school year, as determined by the IELA: English Language “Proficiency”.
- 3) **AMAO #3:** LEA determination for making AYP (adequate yearly progress) on the spring ISAT for LEP students (section 1111(b)(2)(B)): “AYP”.

If CTEA does not meet any one of the 3 measures in any given year, then the following measures will be employed:

- 1) If the CTEA LEP program fails to make progress toward meeting these objectives for two (2) consecutive years, the State Board of Education will be asked to help develop an improvement plan that specifically addresses the factors that prevented the district from achieving the objectives
- 2) If the CTEA LEP program fails to meet these objectives for four (4) consecutive years, the Director will work with the State Board of Education to modify the curriculum and LEP program, and or replace educational personnel. The State Board of Education or will determine if funding should continue at that time.
- 3) In addition to providing the general parental notifications, CTEA will separately inform parents/guardians/acting custodians of a child identified for participation or participating in such program of such failure within 30 days of notice of failure to reach AMAOs. All notifications will be translated into the home language, to the extent practicable. At this time, parents/guardians/acting custodians will be re-informed of their right to remove their child from an LEP program at any time, see 3302(a)(A), 3302(b).

Part II: State Defined AMAO Targets and Definitions

Chief Tahgee Elementary Academy will demonstrate annual progress and proficiency in English language acquisition of its students through the following AMAOs. If CTEA does not meet any one of the three AMAO measures, then the school will be considered as not meeting the AMAOs for that year.

If CTEA has less than 34 LEP students tested on the IELA, the school will not be included in the LEP Accountability Plan. However, if CTEA has 34 or more LEP students, the school will be held accountable to this LEP Accountability Plan. If CTEA is included in a consortium, the school will be included in AMAO determinations regardless of the LEP subgroup size.

1. AMAO #1 - English Language Progress/Growth (“Progress”): Progress is defined as advancing one level or more of language proficiency per year, as indicated by the Idaho English Language Assessment (IELA). The IELA details 5 levels of English proficiency as described above and assesses the domains of listening, speaking, reading, writing and comprehension

(listening + reading) in grades K-12. Only students who have tested for 2 years (e.g. students who have 2 data points) will be included in AMAO 1.

As measured on the IELA, the following percentages of LEP students within CTEA will achieve “progress”:

Title III/LEP Annual Measurable Achievement Objectives (AMAOs) #1 Growth										
Year	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018
Target	25%	26.1%	27.2%	28.3%	29.4%	30.5%	31.6%	32.7%	33.8%	34.9%
rounded	25	26	27	28	29	31	32	33	34	35
Point increase	1.111	1.111	1.111	1.111	1.111	1.111	1.111	1.111	1.111	1.111

2. AMAO #2 - English Language Proficiency (“Proficiency”): A student is defined as “proficient” in English on the IELA if a student tests at the early fluent and above (EF+) level within each sub-domain (listening, speaking, reading, writing and comprehension) assessed on the IELA. An EF+ on each sub-domain could result in a student receiving a total score of either a 4 (Early Fluent) or a 5 (Fluent) on the overall IELA score. All students tested within CTEA will be included in AMAO 2.

As measured on the IELA, the following percentages of LEP students within CTEA will achieve “proficiency”:

Title III/LEP Annual Measurable Achievement Objectives (AMAOs) #2 Proficiency										
Year	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018
Target	13%	13.7%	14.5%	15.3%	16.1%	16.8%	17.6%	18.4%	19.2%	19.9%
rounded	13	14	15	15	16	17	18	18	19	20
Point increase	0.777	0.777	0.777	0.777	0.777	0.777	0.777	0.777	0.777	0.777

3. AYP: AYP will be determined by annual spring ISAT data, as provided by the State Department of Education (SDE) for the LEP subgroup at CTEA, where CTEA failed to make AYP in any target area because of the LEP subgroup.

Part III: Sanctions and Procedures

The accountability measures for CTEA will be determined by the results of the annual spring IELA and ISAT assessments of LEP students. Sanctions are determined by consecutive years of not meeting the AMAOs set forth above (1. progress, 2. proficiency, and 3. AYP).

Any type of improvement plan or restructuring will be seen as an opportunity for CTEA to thoroughly evaluate its programs and assess what steps need to be taken or changes that need to be made so that the school is able to better serve the LEP population.

In addition to providing the general parental notifications, CTEA will separately inform parents/guardians/acting custodians of a child identified for participation or participating in such program of such failure within 30 days of notice of failure to reach AMAOs. All

notifications will be translated into the home language, to the extent practicable. At this time, parents/guardians/acting custodians will be re-informed of their right to remove their child from an LEP program at any time, see 3302(a)(A), 3302(b).

Chief Tahgee Elementary Academy will adhere to the following accountability and sanctions, whether Title III funding is received or not, unless otherwise indicated below.

AMAO Sanctions					
School Year	2006-2007	2007-2008	2008-2009	2009-2010	2010-2011
Improvement Year	Baseline Data from spring 2006	LEP Improvement 1	LEP Improvement 2	LEP Improvement 3	LEP Improvement 4
LEA Responsibility		Alert Status Parental Notification	1. Develop/augment Improvement Plan specific to LEP 2. Implement Improvement Plan Parental Notification	1. Continue School Improvement Plan 2. Review Plan and outcomes for adequacy Parental Notification	Corrective Action Plan * Title III LEAs could lose funding Parental Notification
SEA Responsibility		Technical Assistance	Technical Assistance	Technical Assistance	Technical Assistance

Baseline: In CTEA's first (1st) year of operation, the IELA assessment will give Idaho the baseline data to begin looking at LEP student growth.

LEP Improvement YEAR 1: Data from CTEA's second (2nd) year of operation IELA will provide information regarding whether it will be in LEP Improvement Year 1.

- Once notified, CTEA will be on alert status for this year.
- CTEA will send parental notification home to parents of LEP students indicating that the school did not meet AMAOs.

LEP Improvement YEAR 2: Data from CTEA's third (3rd) year of operation will provide information regarding whether the school will be in LEP Improvement Year 2. If the CTEA LEP program fails to make progress toward meeting these objectives for two (2) consecutive years,

the Director will work with the State LEP Program to develop an improvement plan that specifically addresses the factors that prevented the district from achieving the objectives.

- CTEA will submit an LEP Program Improvement Plan, which is based on the Idaho LEP Program Enhancement Grant Application.
- The State LEP program will review all LEP Program Improvement Plans and give feedback to each district.
- CTEA will submit its improvement plan not later than December 31 of each year that the school is in needs improvement. CTEA will demonstrate in writing the implementation of the plan no later than May 31 of each year.
- If CTEA meets AMAOs in Year 2, it will not be required to submit improvement plans.
- CTEA will send parental notification home to parents of LEP students indicating that the school did not meet AMAOs and detail the ongoing process to remedy the situation.

LEP Improvement YEAR 3: Data from CTEA's (4th) year of operation will provide information regarding whether the school will be in LEP Improvement Year 3.

- If CTEA reaches LEP Improvement Year 3, the school will continue to implement its improvement plan. CTEA will review the plan for outcomes and adequacy by December 31. CTEA will demonstrate in writing the changes made to the implementation of the school improvement plan no later than May 31 of each year.
- If CTEA did not meet AMAOs in Year 2 but did meet AMAOs in Year 3, the school will continue to submit documentation of implementation of their improvement plans no later May 31 of that year.
- CTEA will send parental notification home to parents of LEP students indicating that the school did not meet AMAOs and detail the ongoing process to remedy the situation.

LEP Improvement YEAR 4: Data from CTEA's fifth (5th) year of operation will provide information regarding whether the school will be in LEP Improvement Year 4. If the CTEA LEP program fails to meet these objectives for four (4) consecutive years, the Director will work with the State Board of Education to modify the curriculum and LEP program, and or replace educational personnel. The State Board of Education or will determine if funding should continue at that time.

- If CTEA reaches LEP Improvement Year 4, the school will submit a new corrective action plan that details how the LEP program and curriculum will be significantly modified. Input from staff, parents and community members will be required. CTEA will request further guidance from the State LEP program to detail what the corrective action plan must include.
- If CTEA did not meet AMAOs in Year 3 but did meet AMAOs in Year 4, the school will submit documentation of implementation of their improvement plans by May 31 of that year.
- CTEA will send parental notification home to parents of LEP students indicating that the school did not meet AMAOs and detail the ongoing process to remedy the situation.

LEP Improvement Year 4+

If CTEA continues to miss the AMAO targets after 4 consecutive years, the school will continue to implement its corrective action plan and provide documentation of implementation by

December 31 and May 31. In addition, CTEA will continue to work with the State LEP Program to determine the best course of action.

Requirements for Title III/LEP Program Improvements

If CTEA has not made AMAOs for two or more consecutive years, the school will complete a Title III/LEP Program Improvement Plans. The focus of this plan will be in the area(s) that have kept the school from meeting its AMAO targets. The Improvement Plan will be an addendum to the LEP Plan. The Improvement plan will address the following:

- Reasons for not meeting AMAOs for two or more consecutive years.
- Data gathered to determine a plan of action for targeting area(s) preventing the school from meeting AMAO targets.
- Objectives specific to the target area(s) that will help ensure growth in the areas preventing the school from meeting AMAO targets.
- Activities planned that will help the school meet their objectives such as, but not limited to: professional development, curriculum and other resources, staffing, before and afterschool programs, interventions in targeted areas, etc.
- How CTEA will collect and analyze its data to determine whether its LEP program is effective and if objectives have been met.

Requirements for Title III/LEP Program Corrective Action Plan

If CTEA has not made AMAOs for four or more consecutive years, the school will undergo Title III/LEP Program Corrective Action. CTEA will adhere to the following guidance provided by the State LEP Program.

If CTEA is in Title III/LEP Corrective Action, the school will submit their corrective action plan by June 30 and written documentation of implementation of the corrective action by December 31 of the following school year. CTEA will significantly modify its LEP Program. Documentation provide to the state will include the following and be submitted no later than June 30, 2011:

1. Changes to LEP Program Plan
 - a. Red line/track changes to current LEP Program Plan with significant changes to curriculum, interventions used with LEP students, staffing, and/or funding allocations. Will include significant changes in at least one area listed above (i.e. a district must demonstrate a change in interventions used with LEP students and/or funding allocations, etc)
 - and
 - b. Red line/track changes to current Title III/LEP Program Improvement Plan and inclusion of corrective action measures that CTEA will make.
 - Or
 - c. Demonstrate through submission of in-depth data analysis that curriculum, interventions used with LEP students, staffing, and/or funding allocations are working and demonstrating growth. This will be used if growth is apparent, but CTEA is still not meeting AMAOs.
2. A separate Corrective Action Addendum, providing an overview of the changes to be implemented and how they will be implemented.

3. Certification/proof that changes and/or data analysis included input from staff, parents, community members, and the Director. This may include minutes and signatures from stakeholder meetings.
 4. Documentation of submission of changes to the School Board. This could be school board meeting minutes and signatures of certification.
 5. Mandatory participation in at least 4 SDE trainings/webinars throughout the school year regarding LEP student achievement. The trainings/webinars will focus on LEP program effectiveness, culturally proficient schools and classrooms, parental involvement, provided by the State Department of Education.
 6. Demonstration of integration of the “Nine Characteristics of High-Performing Schools” within the schools that are in school improvement status (within the district) for not meeting AYP for LEP students. Evidence or plans that CTEA is ensuring or will ensure that these Nine Characteristics focus specifically on LEP student achievement.
- Qualified readers will review the changes to the LEP Program Plans and supporting documentation, then will provide approval or feedback for the district to remedy.
 - When implementing changes to the Title III/LEP Program Plan, CTEA will consider and articulate the possible causes(s) of inadequate LEP student performance. This follows the Title I Restructuring Rubric. CTEA will ensure an in-depth look and review of:
 - materials and instructional practices
 - time/coverage/grouping
 - of grade level deficiencies
 - assessment plan
 - data utilization practices
 - professional development for staff at school
 - school wide organization and support
 - distributed leadership (principal and faculty)
 - external support
 - funding allocations
 - Professional Development will include:
 - Ongoing training for both staff and administration specific to curriculum, instruction, cultural proficiency, and assessment for LEP students
 - Training will focus on building capacity within the school to sustain these fundamental changes

The State Department of Education reserves the right to conduct an integrated focused visit after reviewing the Corrective Action plan for Districts. An integrated focused visit will look in depth at cross programming throughout the school, including LEP services, fiscal, special education services, Title I services, curriculum and instruction and administrative support.

CTEA has the final decision to follow and implement Corrective Action Plans, but acknowledges the State Department of Education’s right to withhold Federal and State Funds from a district that chooses not to follow these plans.

Appeals process

AMAOs will be calculated according to LEP student growth on the IELA and AYP. The appeals process for AYP takes place through the Department of Education. If CTEA believes that there has been an error in the calculation of AMAOs, then the Director may contact the State LEP Program. Student scores will not be contested. Testing discrepancies (i.e. a student has taken 2 different grade level tests; a student has taken only a portion of the test) will be taken into consideration by the testing vendor when tests are scored and student reports are generated.

Idaho Statewide Assessments

In compliance with “No Child Left Behind (NCLB)”, CTEA will assess LEP students with an annual English language proficiency test in addition to the state content assessment like the Idaho Standards Achievement Tests (ISAT). In assessing LEP students, CTEA will comply with all federal and state laws, rules, regulations, and procedures found in the State of Idaho’s Accommodations Policy for Inclusion of Limited English Proficient (LEP) Students in the Idaho Standards Achievement Test (ISAT).

Educational Learning Plan (ELP)

CTEA will require an ELP for any student who has an accommodation on a state-wide or school-wide assessment. Any assessment accommodation given will be an accommodation that a student receives during regular classroom instruction and regular classroom testing. A student will not receive accommodations on any assessment if that specific accommodation is not documented in the ELP and provided in the classroom. Every LEP student will have an ELP on file, even if that particular student is not given accommodations in the classroom. Chief Tahgee Elementary Academy will employ an ELP similar to the samples provided in the Idaho LEP Program Manual.

Instructional Approaches and Curriculum for LEP Students

Chief Tahgee Elementary Academy will provide a program for each student whose dominant language is not English for the purpose of facilitating the student’s achievement of English proficiency and the academic standards. The program will include English as a Second Language instruction. The program will meet the three-pronged test of program compliance: (1) sound research-based education theory; (2) sufficient resources and staffed by appropriate prepared personnel; (3) periodic program evaluation.

Chief Tahgee Elementary Academy will employ the following program models in address the needs of all LEP students:

- 1) **in the classroom in a “push-in” setting** (teachers assist English language learners with differentiated instruction within the classroom so that the English learners are able to access the curriculum presented);
- 2) **in a pull-out setting** (students would be pulled out of the general classroom to receive intensive English instruction);
- 3) **in a bilingual program** (a bilingual program is a generic term for a classroom that provides instruction in 2 different languages. Mere translation into another language is not considered a bilingual program, rather the 2 languages must be separated by time, by location, by teacher, or by subject);
- 4) **newcomer program** (a newcomer program focuses on serving the students new to English in an intensive setting. Newcomer programs can be located within a school or be

in a separate location; however a district must ensure that their newcomer program is in compliance with the state and with the Office of Civil Rights).

Chief Tahgee Elementary Academy will employ a variety of instructional approaches, which may include SIOP (Sheltered Instruction Observation Protocol) to teaching LEP students. The specific SIOP model is a combination of content-based ESL/Structured Immersion and Sheltered Instruction. The SIOP model is useful as a part of a program for pre-service and in-service professional development; as a lesson planner for sheltered content lessons; as a training resource for faculty; and as an observation and evaluation measure for site-based administrators, supervisors of student teachers and researchers who evaluate teachers. There are eight components to the SIOP model (See Appendix):

- Component 1:** Lesson Preparation
- Component 2:** Building Background
- Component 3:** Comprehensible Input
- Component 4:** Strategies
- Component 5:** Interaction
- Component 6:** Practice/Application
- Component 7:** Lesson Delivery
- Component 8:** Review and Assessment

Curriculum and Resources

Chief Tahgee Elementary Academy intends to meet English Language Development (ELD) compliance requirements and use Idaho State Adopted Instructional Materials. English Language Development is defined as a systematic developmental curriculum designed to build academic English language proficiency. English language learners at CTEA will be taught using research-based instructional programs designed to close the achievement gap. Therefore, CTEA will employ ELD standards-aligned curricula to fully meet the linguistic and academic language needs of all English language learners.

Chief Tahgee Elementary Academy will employ the Idaho Standards for English Learners, which were designed to assist teachers in moving English language learners to academic literacy proficiency in the English Language Arts (ELA). The intent of the ELD standards is guide classroom instruction and for developing benchmark standards. The State LEP Program requires that educators provide ELL with a defined program of instruction in ELD that fully addresses the ELD standards, provide instruction targeted to each level of proficiency and assesses each student's progress in English academic language fluency and academic literacy.

Chief Tahgee Elementary Academy will accept the ELD standards as a pathway for ELL towards English academic language fluency, academic literacy and mastery of the ELA content standards. Faculty and staff at CTEA will strive to design and deliver classroom instruction in all subjects with curricula that is targeted to specific levels of proficiency, is structured, and builds on mediated discussion and writing experiences.

Given the implementation of accountability measures for ELL, it is evident that effective curricula would include materials that directly address ELD standards, facilitates teachers' differentiation of instruction, include assessments of academic literacy/language proficiency and tracks individual student progress over time similar to *LAS Links Benchmark Assessments*.