

Xavier Charter School, Inc.

XAVIER CHARTER SCHOOL
Petition for a Charter for School Year Starting 2007-2008
Within the Twin Falls School District #411

Submitted To:

Idaho Public Charter School Commission

November 30, 2006
Revised March 6, 2008
Revised July 25, 2011
Revised September 25, 2012
Revised June 1, 2017

Xavier Charter School
1218 N College Rd W
Twin Falls, Id 83301

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**TAB 1: ARTICLES OF INCORPORATION, BYLAWS,
SIGNATURES AND MISSION STATEMENT**

Amended Articles of Incorporation

AMENDED ARTICLES OF INCORPORATION

OF

XAVIER CHARTER SCHOOL, INC.

In compliance with the requirements of the laws of the State of Idaho relating to non-profit corporations and acts amendatory and supplemental thereto, including particularly Chapter 30, Title 301 et seq. of the Idaho Code, the undersigned natural persons, each of whom are of full age and residence of the United States, in order to form a non-profit corporation for the purposes hereinafter stated, do hereby as incorporators, adopt the following Articles of Incorporation, and certify:

**ARTICLE I
NAME**

The name of this corporation is XAVIER CHARTER SCHOOL, INC., hereinafter called the "Corporation."

**ARTICLE II
NOT FOR PROFIT**

The Corporation is a nonprofit corporation under the laws of the State of Idaho. The Corporation is not formed for pecuniary profit. No part of the income or assets of the Corporation is distributable to or for the benefit of its Members, Directors or Officers, except to the extent permissible under law.

**ARTICLE III
ADDRESS**

The principal office of the Corporation is located at 3533 N. 3000 E., Twin Falls, ID 83301.

**ARTICLE IV
DURATION**

The duration of the corporation is perpetual.

**ARTICLE V
PURPOSE AND POWERS OF THE CORPORATION**

The purpose of this Corporation shall be to provide additional educational methods and opportunities to the community pursuant to Idaho Code §33-5201 et seq. To accomplish this end the corporation shall have the power to:

Tab 1: Articles of Incorporation, Signatures and Mission Statement

(a) Exercise all of the powers and privileges and to perform all of the duties and obligations of the Corporation as set forth in that certain By-Laws of the Xavier Charter School, Inc.

(b) Fix, levy, collect and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the By-Laws; to pay all expenses in connection therewith and all office and other expenses incident to the conduct of the business of the Corporation, including all licenses, taxes or governmental charges imposed against the property of the Corporation;

(c) Acquire (by gift, purchase or otherwise), own, hold, improve, build upon, operate, maintain real or personal property in connection with the affairs of the Corporation;

(d) Participate in mergers and consolidations with other non-profit corporations organized for the same purposes or annex additional property and Common Area, subject to those restrictions contained in the By-Laws and any amendments thereto; and

(e) Have and to exercise any and all powers, rights and privileges which a corporation organized under the Non-Profit Corporation Laws of the State of Idaho by law may now or hereafter have or exercise.

**ARTICLE VI
VOTING RIGHTS**

The Corporation shall have one membership class. Each member shall be entitled to cast one vote or fractional vote as set forth by their membership interest shall be exercised as they among themselves determine, but in no event shall more than one vote be cast with respect to any member. Voting by proxy shall be permitted, provided, proxies shall not be valid for a period in excess of eleven (11) months from their date of execution and shall automatically terminate if the grantor of the proxy ceases to be a member of the Corporation.

**ARTICLE VII
BOARD OF DIRECTORS**

The affairs of the Corporation shall be managed by a Board of at least Five (5) Directors, at meetings duly held pursuant to the By-Laws and at which a quorum is present in person. A quorum shall consist of a majority of the Directors present in person. The Board, by majority vote, may remove an officer of the Corporation.

At the first regular meeting the members shall elect Directors for a term of one year. (Vacancies during the terms shall be filled by appointment by a majority of the remaining Directors.)

**ARTICLE VIII
DISSOLUTION**

Upon the dissolution of the Corporation the assets of the Corporation shall be distributed to creditors pursuant to Sections 30-3-114 and 30-3-115 of the Idaho Code. Upon winding up and dissolution of this corporation, and paying or adequately providing for the debts and obligations of the corporation, the remaining assets shall be distributed to the Idaho Public Charter School Commission, Boise, Idaho.

**ARTICLE IX
INCORPORATORS**

The name and address of the incorporators are as follows:

DEBBIE JACKSON
161 5th Ave South Suite #101
Twin Falls, ID 83301

**ARTICLE X
REGISTERED AGENT**

REBECCA BAIRD is hereby appointed the initial registered agent of this Corporation.

**ARTICLE XI
DIRECTORS**

The names and addresses of the initial directors are:

REBECCA BAIRD
3533 N. 3000 E.
Twin Falls, ID 83301

DEBBIE JACKSON
161 5th Ave South Suite #101
Twin Falls, ID 83301

PATRICK BROWN
104 Lincoln
Twin Falls, ID 93301

**ARTICLE XII
LIMITATION**

No part of the net earnings of the Corporation shall inure to the benefit of or be distributable to its Members, or Officers, but 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 V (Purposes) hereof.

**ARTICLE XIII
OFFICERS**

The Officers of the Corporation shall consist of a Chairman, Vice Chairman Secretary, Treasurer and such other Officers and Assistance Officers as may be provided in the By-Laws. Each Officer shall be elected by the Board of Directors (and may be removed by the Board of Directors) at such time and in such manner as may be prescribed by the By-Laws.

**ARTICLE XIV
AMENDMENT**

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 shall require the assent of those members casting two-thirds (2/3) of the votes of the Corporation membership at any regular member's meeting called specifically for that purpose.

**ARTICLE XV
INDEMNIFICATION**

The Corporation shall indemnify each Officer and Director including former Officers and Directors to the full extent permitted by the laws of the State of Idaho.

**ARTICLE XVI
BY-LAWS**

The By-Laws of the Corporation are to be made and adopted by the Board of Directors, and may be altered, amended or rescinded by the Board of Directors.

The Power to adopt, alter, amend and repeal the By-Laws shall be vested in the

Tab 1: Articles of Incorporation, Signatures and Mission Statement

Board of Directors, but all alternatives, amendments and repeals of the By-Laws must be approved by a majority of the Voting Members.

IN WITNESS WHEREOF the undersigned have signed these Articles of Incorporation on this 9th day of November, 2006.

Rebecca Baird
Incorporator

[Signature]
Incorporator

Debbie Jackson
Incorporator

STATE OF IDAHO)
County of Twin Falls) ss.

On this 9th day of November, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared REBECCA BAIRD, known to me to be the Incorporator of Xavier Charter School, Inc., the corporation whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



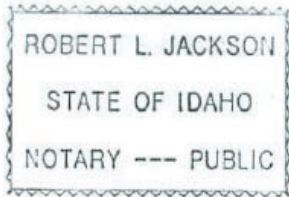
[Signature]
NOTARY PUBLIC
Residing at: Twin Falls, ID
My Commission Expires: 8-15-2011

Tab 1: Articles of Incorporation, Signatures and Mission Statement

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 9th day of November, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared DEBBIE JACKSON, known to me to be the Incorporator of Xavier Charter School, Inc., the corporation whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Robert L. Jackson
NOTARY PUBLIC
Residing at: Twin Falls
My Commission Expires: 5-14-11

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 9th day of November, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared PATRICK BROWN, known to me to be the Incorporator of Xavier Charter School, Inc., the corporation whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



V. Lane Jacobson
NOTARY PUBLIC
Residing at: Twin Falls, ID
My Commission Expires: 10/29/07

ACCEPTANCE BY REGISTERED AGENT

The undersigned hereby accepts the appointment as Registered Agent of XAVIER CHARTER SCHOOL, INC. which is contained in the foregoing Articles of Incorporation.

Dated this 9 day of November, 2006.

Rebecca Baird
Registered Agent

FILED EFFECTIVE

ARTICLES OF AMENDMENT TO
ARTICLES OF INCORPORATION
OF
XAVIER CHARTER SCHOOL, INC.

06 DEC 12 PM 2: 29

SECRETARY OF STATE
STATE OF IDAHO

Pursuant to the provisions of Section 30~~7~~³-58, 59, 60 and 61 of the Idaho Business Corporation Act, the undersigned corporation adopts the following Articles of Amendment to its Articles of Incorporation:

FIRST: The name of the corporation as created by the issuance of a Certificate of Incorporation dated the 14th day of November, 2006, is XAVIER CHARTER SCHOOL, INC.

SECOND: The following amendments of the Articles of Incorporation were adopted by the Board of Directors of the corporation on the 30th day of November, 2006, in the manner prescribed by the Idaho Business Corporation Act.

ARTICLE VI: VOTING RIGHTS has been completely removed from the original document.

ARTICLE VII: BOARD OF DIRECTORS has been restated as follows:

The Corporation shall have no members and shall be managed by a board of at least five (5) directors. Any action which would otherwise by law require approval by a majority of all members shall require only approval of the Board of Directors. All rights, which would otherwise by law vest in the members, shall vest in the Board.

At the first regular meeting the board shall elect Directors for a term of one year. (Vacancies during the terms shall be filled by appointment by a majority of the remaining Directors.)

THIRD: All of the Directors voted in favor of the amendments.

ARTICLES OF AMENDMENT - Page 1

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C167310

Tab 1: Articles of Incorporation, Signatures and Mission Statement

DATED this 22nd day of Nov, 2006.

By: [Signature]
Secretary

By: [Signature]
Patrick D. Brown, Director

STATE OF IDAHO)
County of Twin Falls) ss.

HEARIE JACKSON, being first duly sworn upon oath, deposes and says as follows:

That he/she is the Secretary and Director in the above-entitled corporation, that he/she has read the above and foregoing Articles of Amendment to Articles of Incorporation and knows the contents thereof; and that the facts therein stated are true as he/she verily believes.

[Signature]
Secretary

SUBSCRIBED and SWORN to before me this 20th day of Nov, 2006.



[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at: Twin Falls, ID
My Commission Expires: 5-15-08

**ARTICLES OF INCORPORATION
OF**

FILED EFFECTIVE

XAVIER CHARTER SCHOOL, INC.

06 JUN -9 PM 2:02

In compliance with the requirements of the laws of the State of Idaho relating to non-profit corporations and acts amendatory and supplemental thereto, including particularly Chapter 30, Title 301 et seq. of the Idaho Code, the undersigned natural persons, each of whom are of full age and residence of the United States, in order to form a non-profit corporation for the purposes hereinafter stated, do hereby as incorporators, adopt the following Articles of Incorporation, and certify:

**ARTICLE I
NAME**

The name of this corporation is XAVIER CHARTER SCHOOL, INC., hereinafter called the "Corporation."

**ARTICLE II
NOT FOR PROFIT**

The Corporation is a nonprofit corporation under the laws of the State of Idaho. The Corporation is not formed for pecuniary profit. No part of the income or assets of the Corporation is distributable to or for the benefit of its Members, Directors or Officers, except to the extent permissible under law.

**ARTICLE III
ADDRESS**

The principal office of the Corporation is located at 3533 N. 3000 E., Twin Falls, ID 83301.

**ARTICLE IV
DURATION**

The duration of the corporation is perpetual.

**ARTICLE V
PURPOSE AND POWERS OF THE CORPORATION**

The purpose of this Corporation shall be to provide additional educational methods and opportunities to the community pursuant to Idaho Code §33-5201 et seq. To accomplish this end the corporation shall have the power to:

ARTICLES OF INCORPORATION OF
XAVIER CHARTER SCHOOL, INC. - Page 1

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1 @ 20.00 = 20.00 EXPEDITE C # 3

C167310

Bylaws of Xavier Charter School, Inc.

ARTICLE 1: Offices

Section 1.1 Offices

The Corporation's principal office shall be fixed and located in the County of Twin Falls, State of Idaho as the Board of Directors ("Board") shall determine. The Board is granted full power and authority to change the principal office from one location to another within the County of Twin Falls, State of Idaho.

ARTICLE 2: Purpose

Section 2.1 Purpose

The Corporation is organized exclusively for educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, or the corresponding provisions of any future federal income tax. Notwithstanding any other provision of these Bylaws to the contrary, the Corporation shall not carry on any activities not permitted of:

- (a) a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986 or the corresponding provisions of any future federal income tax code, or
- (b) a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986, or the corresponding provisions of any future federal income tax code.

ARTICLE 3: No Members

Section 3.1 No Members

The Corporation shall have no members and shall be managed by a board of at least five (5) directors. Any action which would otherwise by law require approval by a majority of all members or approval of the members shall require only approval of the Board of Directors. All rights, which would otherwise by law vest in the members, shall vest in the Board.

Section 3.2 Associates

Nothing in this Article 3 shall be construed to limit the Corporation's right to refer to persons associated with it as "member" even though such persons are not members, and no such reference by the Corporation shall render anyone a member within the meaning of Section 30-3-34 of the Idaho Nonprofit Corporation Act. Such individuals may originate and take in the discussion of any subject that may properly come before any meeting of the Board, but may not vote.

ARTICLE 4: Board of Directors

Section 4.1 Board of Directors

- (a) The number of Directors constituting the Board of the Corporation shall be not less than five (5) or more than seven (7) Directors.
- (b) The Board of Directors shall consist of both appointed and elected Directors.
- (c) An increase or decrease in the authorized number of Directors constituting the Board may be made at any time by a majority vote of the Board.
- (d) At no time shall there be more than two non-stakeholders on the Board.
- (e) The function of the Board is described but not limited to policy making, advising and evaluating. The Board shall have the further duty of directing the financial means by which the educational program is conducted. It shall ensure that the community be informed of the needs, purposes, values and status of the charter school.

Section 4.2 Powers of the Board of Directors

The Board, as a board, shall 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 said Corporation when necessary to facilitate the efficient operation thereof. Authority is given to the Charter School Board of Directors by the State of Idaho as provided in the Public Charter Schools Act of 1998. (Idaho Code Section 33-5201)

Section 4.3 Election/Appointment of Directors

- (a) One Director may be appointed by a majority vote of the Board; such ad hoc appointment is not mandatory and shall be done at the discretion of the Board and only after a determination by the Board that: (i) the appointed Director adds specific experience, education, or expertise to the Board where such is lacking; and (ii) such appointment is in the best interest of the Board. The ad hoc appointment shall not cause the number of Directors on the Board to exceed seven (7). At the time of the ad hoc appointment the Board will specify the length of time the appointee shall serve on the Board, not to exceed three (3) years. All remaining Directors shall be elected or appointed in accordance with the provisions of Section 4.3(b) and (c).
- (b) Director elections to fill elected seats will follow the process outlined below:
 - i. All applicants will be required to fill out a questionnaire.
 - ii. All applicants will be required to go through a screening process, overseen by a committee that is appointed by the Charter School Board of Directors. The committee shall consist of 2 staff members, a member of the Parent Faculty Association (PFA) Executive Committee and 2

Tab 1: Articles of Incorporation, Signatures and Mission Statement

members of the Board of Directors. Each respective organization will select their representative(s).

- iii. The committee will then nominate to the Charter School Board of Directors, candidates for each open position who meet the qualifications set out in district policy.
- iv. No more than three candidates per position shall be nominated. The Board of Directors will approve the candidates by majority vote. Only approved candidates will appear on the ballot.
- v. Stakeholders of the school will then be asked to vote on the candidates. A stakeholder of the school is defined as one or more of the following: parents or legal guardians of a child attending Xavier Charter School; staff members or employees of Xavier Charter School; Xavier Charter School board members and founders of the Charter School that signed the charter petition.
- vi. Xavier Charter School Board of Directors has final authority over all ballots.
- vii. Stakeholders of Xavier Charter School will be notified of the date, time, and location of all school board elections.

Voting on board member elections can be done in person or via absentee ballot.

- (c) Director appointments to fill regularly appointed seats will follow the process outlined below:
 - i. During the regularly scheduled Board meeting in May of each year the Board of Directors shall appoint Director(s) to replace those whose appointment(s) will expire in June of that year.
 - ii. New Directors shall be appointed by a majority vote of Directors present at the May meeting, provided there is a quorum present.
 - iii. Directors so appointed shall begin their term at the beginning of the corporate annual meeting in June of that year.

Section 4.4 Terms

- (a) Directors, with the exception of any ad hoc appointment, shall be elected or appointed to a three (3) year term of office. The terms for each seat shall be as follows:
 - a. Seat 1 (Appointed by the Board): The term shall begin in 2011 and expire in 2012, and every three (3) years thereafter.
 - b. Seat 2 (Elected): The term shall begin in 2015 and expire in 2018, and every two (2) years thereafter.

Tab 1: Articles of Incorporation, Signatures and Mission Statement

- c. Seat 3 (Appointed by the Board): The term shall begin in 2010 and expire in 2013, and every three (3) years thereafter.
 - d. Seat 4 (Appointed by the Board): The term shall begin in 2011 and expire in 2014, and every three (3) years thereafter.
 - e. Seat 5 (Elected): The term shall begin in 2017 and expire in 2018, and every one (1) year thereafter.
 - f. Seat 6 (Appointed by the Board, if filled): The term shall be on the same cycle as Seat 3, with a term of three (3) years.
 - g. Seat 7 (Appointed by the Board, if filled): The term shall be on the same cycle as Seat 1, with a term of three (3) years.
- (b) Each elected Director shall serve until the stakeholders duly elect his/her successor. Each appointed Director shall serve until the end of the term of his or her seat.

Section 4.5 Resignation and Removal

Subject to the provisions of Section 30-3-9 of the Idaho Nonprofit Corporation Act, any Director may resign effective upon giving written notice to the Chairman of the Board, or the Secretary of the Board, unless the notice specifies a later effective time. If the resignation is effective at a future time, a successor may be selected before such time, to take office when the resignation becomes effective. The effective date of resignation shall be no more than ninety (90) days from the date of written notice of resignation. A Director may be removed without cause by a majority vote of the Directors then in office.

Section 4.6 Vacancies

- (a) A Board vacancy or vacancies shall be deemed to exist if any Director dies, resigns, or is removed, or if the authorized number of Directors is increased.
- (b) The Board may declare vacant the office of any Director who has been convicted of a felony, or has been found to have breached any duty arising under Article 30-3-85 of the Idaho Nonprofit Corporation Act or to be of unsound mind, by any court of competent jurisdiction, or has failed to attend four (4) or more meetings of the Board in any calendar year.
- (c) Removal of a Director for one or more of the reasons listed in Section 4.6(b) above may be initiated by any member of the Board. The Board shall hold a public meeting within ten (10) school attendance days of receiving such a request. Such meeting shall be conducted with regard for the reasonable due process rights of all parties and in public, except where either the Board or the Director whose removal is sought requests a closed session. Where a closed session is held, the final action of the Board shall be taken in public.
- (d) Recall of an elected Director may be initiated by a vote petition of the Stakeholders provided the following criteria and procedures are followed:

Tab 1: Articles of Incorporation, Signatures and Mission Statement

- a. No petition for recall shall be circulated against any Director until that Director has actually held his or her office ninety (90) days.
- b. No more than one petition for recall may be submitted in any fiscal year and a minimum of ninety (90) days must separate the submission of any recall petition from any other recall petition.
- c. A petition for recall shall be instituted by filing with the Secretary of the Board of Directors or Clerk of the Board of Directors a verified written petition requesting such recall. The petitioner requesting the recall must be a stakeholder.
- d. A petition for recall shall contain the following items:
 - i. Name of the Director to be recalled
 - ii. Factual basis and reasons for the recall in two hundred words or less
 - iii. Printed name, notarized signature, and address of the petitioner.
 - iv. Signature sheets containing no more than 20 lines each with the printed name, signature, and address of the signers of the petition. Each signature sheet must contain items i-iii.
- e. Each and every signature sheet must be verified by the petitioner or other stakeholder who circulated the signature sheet and this verification must conform to the requirements in Idaho Code 34-1705.
- f. To be valid, a recall petition must be signed by a verified number of stakeholders equal to or exceeding twenty percent (20%) of the number of stakeholders who cast votes for all candidates at the election at which the Director was elected.
- g. The Secretary of the Board of Directors or the Clerk of the Board of Directors, once having received the petition, will examine the petition to verify whether or not the petition signers were stakeholders of Xavier Charter School at the time the petition was received. This examination period shall not exceed twenty one (21) calendar days from the date of receipt of the petition.
- h. In the event that the petition is found to contain the required number of valid signatures, the Secretary of the Board of Directors or the Clerk of the Board of Directors will notify the Director being recalled and the petitioner by certified mail that the recall petition is in proper form.
- i. In the event that the petition is found not to have the required number of valid signatures, the Director will continue in office and no new recall petition may be circulated for a period of ninety (90) days against the same Director.
- j. Once a recall petition has been successfully verified, a special recall election will be held within fourteen (14) calendar days after completion of the examination of the petition. The special election will be conducted in accordance with Section 4.3 (b) v-vii above. The ballot will contain the factual reasons for recall as listed on the recall petition and a rebuttal statement by the Director, if they wish to submit one. The ballot will be no greater than one page in length.

Tab 1: Articles of Incorporation, Signatures and Mission Statement

- k. To recall any Director, a majority of the votes cast at the special recall election must be in favor of such recall, and additionally, the number of votes cast in favor of the recall must equal or exceed the votes cast at the last general election for that Director.
 - l. The board of canvassers for the special recall election shall consist of one member of the Board of Directors (which may not be the Director who is being recalled), one member of the Parent Faculty Association, and one member of the administrative team at Xavier Charter School.
 - m. The board of canvassers will meet within 24 hours of closure of the election to canvass the votes cast at the recall election. Immediately upon completion of the count, the Board member who canvassed the votes will declare the result of the election and this count shall be the final result.
 - n. If recalled, a Director shall be recalled as of the time when the results of the special recall election are declared and a vacancy in the office shall exist.
 - o. If a Director is recalled, the vacancy shall be filled as provided in 4.6 (e).
 - p. After one (1) unsuccessful recall election is held for any Director, no further recall petitions may be filed against the same Director during the remainder of the fiscal year. The specific reason for recall in one (1) recall petition cannot be the basis for any subsequent recall petitions during the remainder of that Director's current term of office.
- (e) A vacancy on the Board for any reason may be filled by appointment by a majority vote of the remaining Directors, although less than a quorum. Each Director so appointed shall hold office for the remainder of the term of the seat.
- (f) No reduction of the authorized number of Directors shall have the effect of removing any Director prior to the expiration of the Director's term of office.

Section 4.7 Compensation of Directors

Directors shall not receive any compensation for their services; however, the Directors may approve the reimbursement of a Director's actual and necessary expenses incurred in the conduct of the Corporation's business. The Corporation shall carry liability insurance covering the Corporation's business.

Section 4.8 Employees

The Board shall have the power to hire employees of the Corporation whose duties shall be specified by the Board.

Section 4.9 Voting

Voting by the Board shall be in person and no proxy voting on the Board may occur. The Chair is a member of the voting body, and he or she has exactly the same rights and privileges as all other members have, including the right to make motions, to speak in debate, and to vote on all questions. In meeting of a small board (where there are not more than about a dozen board members present), the presiding officer may exercise these rights and privileges as fully as any other member. When a tie vote results, the motion fails.

Section 4.10 Quorum

A quorum consisting of a majority or more of the then current Directors must be assembled to vote and conduct business.

Section 4.11 Rights of Inspection

Every Director has the right to inspect and copy all books, records and documents of every kind and to inspect the physical properties of the Corporation provided such inspection is conducted at a reasonable time after reasonable notice, and provided that such right of inspection and copying is subject to the Corporation's obligations to maintain the confidentiality of certain books, records and documents under any applicable federal, state or local law.

Section 4.12 Committees

The Board may create one (1) or more committees of the board and appoint members of the Board to serve on them. Each Committee shall have one or more Directors, who serve at the pleasure of the Board. The creation of a committee and appointment of members to it shall be by a majority vote of the Directors then in office. Once the task has been accomplished for which the committee was formed it shall be dissolved. A committee of the Board may not: 1) authorize distributions; 2) pledge or transfer assets; 3) elect, appoint or remove directors; and 4) adopt, amend or repeal the articles of incorporation or bylaws. Each committee may keep minutes of its proceedings and shall report periodically to the Board.

ARTICLE 5: Board Meetings

Section 5.1 Place of Meeting

The place of all meetings of the Directors shall be the principal office of the Corporation in the County of Twin Falls, Idaho, or at such other place as shall be determined from time to time by the Board; and the place at which such meetings shall be held shall be stated in the notice and call of the meeting. No change in the place of meeting shall be made within three (3) days before the day on which an election of directors is to be held.

Section 5.2 Annual Meeting

The annual meeting of the Directors of the Corporation for the ratification of election results for newly elected Directors to succeed those whose terms expire, for election of Officers for the upcoming fiscal year and for the transaction of other business as may properly come before the meetings, shall be held each year during the first full day of June, at the principal office of the Corporation in the County of Twin Falls, Idaho. If the annual meeting of the Directors be not held as herein prescribed, the election of Directors and Officers may be held at the first meeting called thereafter, pursuant to these Bylaws.

Section 5.3 Regular Meetings

Monthly meetings of the Directors of the Corporation will not be mandatory. However, the schedule for the regular meetings for the year will be determined by the Directors during the Annual Meeting.

Section 5.4 Special Meetings

Special meetings may be called by the Chairman or by any two (2) Directors of the Board and held at any time.

Section 5.45 Notice of Meetings

Notice of the time and place of the annual meeting of the Directors or any monthly meetings of the Directors shall not be given by mailing written or printed notice of the same but shall be in a prominent place at Xavier Charter School and on the Xavier Charter School website in accordance with the Idaho Open Meeting Law.

Section 5.6 Telecommunications devices at Meetings

All meetings may be conducted using telecommunications devices which enable all Directors of the Corporation participating in the meeting to communicate with each other. Such devices may include, but are not limited to, telephone or video conferencing devices or other similar communications equipment. Participation of Directors through telecommunications devices shall constitute presence in person by such Director at the meeting; provided however, that at least one (1) member of the Directors of the Corporation or the chief administrative officer of the Corporation shall be physically present at the location designated in the meeting notice to ensure that the public may attend such meeting in person and that the communications among Directors of the Corporation are audible to the public attending the meeting in person and other the Directors of the Corporation.

Section 5.7 Other Provisions of the Open Meeting Law

Pursuant to Title 33, Chapter 52 of the Idaho Code, all other provision of Title 67, Chapter 23 of the Idaho Code shall be applicable to meetings called by the Directors of the Corporation in the same manner that a traditional school and the boards of school trustees are subject to those provisions.

ARTICLE 6: Officers and Duties

Section 6.1 Officers

The Officers of the Corporation shall be Chairman of the Board, Vice Chairman, Secretary, and Treasurer. Any number of offices may be held by the same person, except that neither the Secretary nor the Treasurer may serve concurrently as the Chairman of the Board. Officers of the Corporation shall also be Directors of the Corporation. The Officers shall be elected each year at the annual meeting by the Board and serve a one (1) year term when their respective successor shall be elected. Individual officers of the Corporation, have no authority over school affairs, except as provided by law or as authorized by the Board.

Section 6.2 Chairman of the Board

The Chairman of the Board is the general manager and chief executive officer of the Corporation and has, subject to the control of the Board, general supervision, direction and control of the business of the Corporation. The Chairman of the Board shall preside at all meetings of the Board. The Chairman of the Board has the general management powers and duties usually vested in the office of President and General Manager of a corporation as well as such other powers and duties as may be prescribed from time to time. The Chairman of the Board will sign all papers and documents as required by law and as authorized by action of the Board.

Section 6.3 Vice Chairman

In the absence or disability of the Chairman of the Board, the Vice Chairman will perform all the duties of the Chairman of the Board and, when so acting, shall have all the powers of, and be subject to all the restrictions upon, the Chairman of the Board. The Vice Chairman shall have such other powers and perform such other duties as the Board may prescribe from time to time.

Section 6.4 Secretary

(a) The Secretary shall keep or cause to be kept, at the principal office or such other place as the Board may order, a book of minutes of all meetings of the Board and its committees, including the following information for all such meetings: the time and place of holding; whether regular or special; if special, how authorized; the notice thereof given; the names of those present and absent, and the proceedings thereof. The Secretary

Tab 1: Articles of Incorporation, Signatures and Mission Statement

shall keep, or cause to be kept, at the principal office in the State of Idaho the original or a copy of the Corporation's Articles of Incorporation and Bylaws, as amended to date, and a register showing the names of all Directors and their respective addresses.

(b) The Secretary shall give, or cause to be given, notice of all meetings of the Board and any committees thereof required by these Bylaws or by law to be given, and shall distribute the minutes of meetings of the Board to all its members promptly after the meetings; shall see that all reports, statements and other documents required by law are properly kept or filed, except to the extent the same are to BE kept or filed by the Treasurer; and shall have such other powers and perform such duties as may be prescribed from time to time by the Board.

Section 6.5 Treasurer

The Treasurer of the Corporation shall keep and maintain, or cause to be kept and maintained, adequate and correct accounts of the properties and transactions of the Corporation, including accounts of its assets, liabilities, receipts and disbursements. The book of accounts shall at all times be open to inspection by any Board member.

Section 6.6 Removal

Any Officer may be removed, either with or without cause, by a majority vote of the Directors then in office.

Section 6.7 Vacancies

A vacancy in any office because of death, resignation, removal, disqualification or any other cause shall be filled in the manner prescribed in these Bylaws for regular election or appointment to such office, provided that such vacancies shall be filled as they occur and not on an annual basis.

ARTICLE 7: FISCAL AFFAIRS

Section 7.1 Fiscal Year

The fiscal year of the Corporation shall be from July 1st to June 30th.

ARTICLE 8: NOTICES

Section 8.1 Manner of Giving Notice

Whenever provisions of any statute or these Bylaws require notice to be given to any Director, Officer or other individual, they shall not be construed to mean personal notice. Such notice shall be given in writing and placed on the bulletin board of the Corporation in sufficient amount of time prior to the meeting or action to be taken as required by

statute, the Articles of Incorporation or these Bylaws; said notice need not be given individually and may be given in one notice document.

Section 8.2 Waiver

A waiver of any notice in writing, signed by a Director or Officer, whether before or after the time stated in said waiver for holding a meeting, or presence at any such meeting, shall be deemed equivalent to a notice required to be given to any Director, or individual.

ARTICLE 9: DISSOLUTION

Section 9.1 Dissolution

Upon Dissolution of the Corporation, assets shall be distributed to creditors pursuant to Sections 30-3-114 and 30-3-115 of the Idaho Code. All remaining assets will be distributed to the Idaho Public Charter School Commission, Boise, Idaho.

ARTICLE 10: AMENDMENTS

Section 10.1 Bylaws

New Bylaws may be adopted or these Bylaws may be amended or repealed by a majority vote of the Board. Whenever any amendment or new Bylaws are adopted, copies shall be placed in the Book of Bylaws with the original bylaws, and immediately after them, and shall not take effect until so copied. If any Bylaws are repealed, the fact of repeal with the date of the meeting at which the repeal was enacted must be stated in the book and until so stated, the repeal must not take effect. Whenever any provision of the Bylaws is either amended or repealed, a marginal note shall be made thereon indicating the place or page where the amendment or repeal may be found.

IN WITNESS WHEREOF, these Bylaws were approved and adopted by Xavier Charter School's Board of Directors on September 26, 2019 .



Deborah Burr, Chair
Xavier Charter School Board of Directors

Signatures and proof of qualification of qualified electors of the attendance area

Original copies of signature certifications on file – copies are included here after each document.

Tab 1: Articles of Incorporation, Signatures and Mission Statement

TWIN FALLS COUNTY
ELECTIONS

LARRY HAYCOCK
Election Director,
Deputy Clerk
Fax: 208-736-4182

DEPARTMENT
PO Box 126
Twin Falls, Id, 83303

KRISTINA GLASCOCK
County Clerk,
Auditor, Recorder
Telephone: 208-736-4004

STATE OF IDAHO,
ss.
COUNTY OF TWIN FALLS

November 9, 2006

To whom it may concern:

I, Kristina Glascock, County Clerk of Twin Falls County, Idaho hereby certify that:

Twelve (12) signatures on this petition are those of qualified electors.

Dated this 9th day of Nov., 2006.

Signed: Kristina Glascock
County Clerk

Signed: Larry Haycock
Deputy Clerk

(Seal of Office)

(12)

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 School District Where New Charter School will be Physically Located	Xavier Charter School Twin Falls School District	
Elector's Printed Name	Elector's Signature	Street Address
1 Rebecca Baird	<i>Rebecca Baird</i>	3533 N 3000 E
2 Robert Baird	<i>Robert Baird</i>	3533 N 3000 E
3 LINDA LINDER-CLIFF	<i>Linda Linder-Cliff</i>	155 Washington N
4 RANDY CLIFF	<i>Randy Cliff</i>	155 Washington N
5 Emmeline K Litke	<i>Emmeline K Litke</i>	1889 Galena Drive
6 Debra L. Keener	<i>Debra L. Keener</i>	2229 N S. Home St
7 Linda Linder-Cliff	<i>Linda Linder-Cliff</i>	680 Phoenician Dr
8 Corvett Linder	<i>Corvett Linder</i>	3015 N. Willow Ave
9 Corvett Linder	<i>Corvett Linder</i>	3015 N. Willow Ave
10 Debra L. Keener	<i>Debra L. Keener</i>	2229 N S. Home St
11 Gretchen Spenser	<i>Gretchen Spenser</i>	315 Broad Paul Lane
12 Stephanie Mrose	<i>Stephanie Mrose</i>	837 Gosh Dr
13 John Farris	<i>John Farris</i>	330 Riverside
14 Sheri Linder-Cliff	<i>Sheri Linder-Cliff</i>	3510 Phoenician
15 Sheri Linder-Cliff	<i>Sheri Linder-Cliff</i>	3510 Phoenician
16 Wayne H. Hovington	<i>Wayne H. Hovington</i>	3510 Phoenician
17 Karol VanWassden	<i>Karol VanWassden</i>	3510 Phoenician

Print Name of Elector: Rebecca Baird, Robert Baird, Linda Linder-Cliff, Randy Cliff, Emmeline K Litke, Debra L. Keener, Linda Linder-Cliff, Corvett Linder, Corvett Linder, Debra L. Keener, Gretchen Spenser, Stephanie Mrose, John Farris, Sheri Linder-Cliff, Sheri Linder-Cliff, Wayne H. Hovington, Karol VanWassden
 Telephone: 734-1132, 734-7832, 734-5373, 734-5373, 734-6709, 925-5116, 705-1030, 734-3401, 734-1132, 734-7832, 734-5373, 734-5373, 734-1132, 734-1132, 734-1132, 734-1132, 734-1132
 Date: 6-1-06, 6-1-06, 6-2-06, 6-2-06, 6-2-06, 6-3-06, 6-3-06, 6-3-06, 6-3-06, 6-3-06, 6-4-06, 6-4-06, 6-4-06, 6-4-06, 6-4-06, 6-4-06, 6-4-06, 6-4-06, 6-4-06, 6-4-06

Print Name of School: Xavier Charter School
 Street Address: 3533 N 3000 E
 City: Twin Falls
 State: Idaho
 Zip: 83421
 Phone: 734-1132
 Page 1 of 2
 333 Terrace Dr. Twin Fall 537-7085 6-5-06

Tab 1: Articles of Incorporation, Signatures and Mission Statement

TWIN FALLS COUNTY
ELECTIONS

LARRY HAYCOCK
Election Director,
Deputy Clerk
Fax: 208-736-4182

DEPARTMENT
PO Box 126
Twin Falls, Id. 83303

KRISTINA GLASCOCK
County Clerk,
Auditor, Recorder
Telephone: 208-736-4004

STATE OF IDAHO,
at
COUNTY OF TWIN FALLS

November 9, 2006

To whom it may concern:

I, Kristina Glascock, County Clerk of Twin Falls County, Idaho hereby certify that,

Thirteen (13) signatures on this petition are those of qualified electors.

Dated this 9th day of Nov., 2006.

Signed: Kristina Glascock
County Clerk

Signed: Jay Adams
Deputy Clerk

(Seal of Office)

Tab 1: Articles of Incorporation, Signatures and Mission Statement

10/27

15

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 School District Where New Charter School will be Physically Located		Xavier Charter School Twin Falls School District			
Elector's Printed Name	Elector's Signature	Street Address	City	Telephone	Date
16 Wendy Sauer	<i>Wendy Sauer</i>	1455 S. Main Street #126	Twin Falls	732-3143	11/10/06
17 Michelle Langley	<i>Michelle Langley</i>	1455 S. Main Street #127	Twin Falls	732-3143	11/10/06
18 Tracy D. Sigler	<i>Tracy D. Sigler</i>	3007 Park Ave E.	Twin Falls	732-2226	6-7-06
19 Corinne Dambor	<i>Corinne Dambor</i>	3013 E. Jackson St	Twin Falls	732-2210	04-07-06
20 S. Kay Colford	<i>S. Kay Colford</i>	2078 Sierra Dr	Twin Falls	734-5081	06-07-06
21 Elizabeth Quinn	<i>Elizabeth Quinn</i>	1100 Highway 20	Twin Falls	726-1207	06-07-06
22 Susan Bohn	<i>Susan Bohn</i>	931 Autumn Dr	Twin Falls	735-9403	06-07-06
23 Yoni Stotts	<i>Yoni Stotts</i>	1481 Starvation Court	Twin Falls	735-9107	06-07-06
24 Amber Aston	<i>Amber Aston</i>	1219 Brundage Ln	Twin Falls	732-2224	06-07-06
25 Adam Kesterson	<i>Adam Kesterson</i>	"	"	"	"
26 Mike Kesterson	<i>Mike Kesterson</i>	1245 S. Main St	Twin Falls	732-3484	6/7/06
27 Michelle Barr	<i>Michelle Barr</i>	1001 N. Main St	Twin Falls	732-3157	10/18/06
28 Paul Canale	<i>Paul Canale</i>	3545 N. 5000 E.	Twin Falls	732-3513	4-29-06
29 Karen Adams	<i>Karen Adams</i>	1215 S. Main Street	Twin Falls	734-3943	10-7-06
30 David Fowler	<i>David Fowler</i>	824 S. Main Street	Twin Falls	732-3123	11/11/06

Tab 1: Articles of Incorporation, Signatures and Mission Statement

TWIN FALLS COUNTY
ELECTIONS

LARRY HAYCOCK
Election Director,
Deputy Clerk
Fax: 208-736-4182

DEPARTMENT
PO Box 126
Twin Falls, Id. 83303

KRISTINA GLASCOCK
County Clerk,
Auditor, Recorder
Telephone: 208-736-4004

STATE OF IDAHO,
ss.
COUNTY OF TWIN FALLS

November 9, 2006

To whom it may concern:

I, Kristina Glascock, County Clerk of Twin Falls County, Idaho hereby certify that

Fifteen (15) signatures on this petition are those of qualified electors.

Dated this 9th day of Nov., 2006.

Signed: Kristina Glascock
County Clerk

Signed: Jerry Pugh
Deputy Clerk

(Seal of Office)

Tab 1: Articles of Incorporation, Signatures and Mission Statement

12

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 School District Where New Charter School will be Physically Located		Xavier Charter School Twin Falls School District			
* 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. Tracy B. Baird	<i>Tracy B. Baird</i>	3533 N. 3000 E	Twin Falls	208-734-2524	6-4-06
17. Sydney Edwards	<i>Sydney Edwards</i>	3760 E. 3400 N	"	208-734-2524	6-4-06
18. [Signature]	<i>[Signature]</i>	1167 E. 3000 N	Twin Falls	208-734-2524	6-4-06
19. [Signature]	<i>[Signature]</i>	1167 E. 3000 N	TF	208-734-2524	6-4-06
20. [Signature]	<i>[Signature]</i>	1167 E. 3000 N	TF	208-734-2524	6-4-06
21. [Signature]	<i>[Signature]</i>	1167 E. 3000 N	TF	208-734-2524	6-4-06
22. [Signature]	<i>[Signature]</i>	1167 E. 3000 N	TF	208-734-2524	6-4-06
23. [Signature]	<i>[Signature]</i>	1167 E. 3000 N	TF	208-734-2524	6-4-06
24. [Signature]	<i>[Signature]</i>	1167 E. 3000 N	TF	208-734-2524	6-4-06
25. [Signature]	<i>[Signature]</i>	1167 E. 3000 N	TF	208-734-2524	6-4-06
26. [Signature]	<i>[Signature]</i>	1167 E. 3000 N	TF	208-734-2524	6-4-06
27. [Signature]	<i>[Signature]</i>	1167 E. 3000 N	TF	208-734-2524	6-4-06
28. [Signature]	<i>[Signature]</i>	1167 E. 3000 N	TF	208-734-2524	6-4-06
29. [Signature]	<i>[Signature]</i>	1167 E. 3000 N	TF	208-734-2524	6-4-06
30. [Signature]	<i>[Signature]</i>	1167 E. 3000 N	TF	208-734-2524	6-4-06

Tab 1: Articles of Incorporation, Signatures and Mission Statement

TWIN FALLS COUNTY
ELECTIONS

LARRY HAYCOCK
Election Director,
Deputy Clerk
Fax: 208-736-4182

DEPARTMENT
PO Box 126
Twin Falls, Id. 83303

KRISTINA GLASCOCK
County Clerk,
Auditor, Recorder
Telephone: 208-736-4004

STATE OF IDAHO,
ss.
COUNTY OF TWIN FALLS

November 9, 2006

To whom it may concern:

I, Kristina Glascock, County Clerk of Twin Falls County, Idaho hereby certify that,

Three (3) signatures on this petition are those of qualified electors.

Dated this 9th day of Nov., 2006.

Signed: Kristina Glascock
County Clerk

Signed: [Signature]
Deputy Clerk

(Seal of Office)

Tab 1: Articles of Incorporation, Signatures and Mission Statement

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		Xavier Charter School			
School District Where New Charter School will be Physically Located		Twin Falls			
<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	<i>[Signature]</i>	1006 Snowy Mountain	Twin Falls	733-8899	6-7-06
17	<i>[Signature]</i>	211 Elm St. N	Twin Falls	734-1742	6-7-06
18	<i>[Signature]</i>	509 Adams St.	Twin Falls	291-2200	7-9-06
19	<i>[Signature]</i>	28 SOLES HAVEN	TF	734-8029	7-9-06
20	<i>[Signature]</i>	570 JEFFERSON	TF	733-2102	7-10-06
21	<i>[Signature]</i>	582 Tinker Dr.	TF	733-2102	7-10-06
22	<i>[Signature]</i>	6027 Landwood	TF	734-6539	7-10-06
23	<i>[Signature]</i>	1471 Coyle St.	TF	737-9636	7-10-06
24					
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27					
28					
29					
30					

Tab 1: Articles of Incorporation, Signatures and Mission Statement

TWIN FALLS COUNTY
ELECTIONS

LARRY HAYCOCK
Election Director,
Deputy Clerk
Fax: 208-736-4182

DEPARTMENT
PO Box 126
Twin Falls, Id. 83303

KRISTINA GLASCOCK
County Clerk,
Auditor, Recorder
Telephone: 208-736-4004

STATE OF IDAHO,
ss.
COUNTY OF TWIN FALLS

November 9, 2006

To whom it may concern:

I, Kristina Glascock, County Clerk of Twin Falls County, Idaho hereby certify that,
Four (4) signatures on this petition are those of qualified electors.

Dated this 9th day of Nov., 2006.

Signed: Kristina Glascock
County Clerk

Signed: [Signature]
Deputy Clerk

(Seal of Office)

4

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 this petition.

Name of Proposed New Charter School District Where New Charter School will be Physically Located	Elector's Printed Name	Elector's Signature	Street Address	City	Telephone	Date
<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. 	1 SANDRA GOLBY	<i>Sandra Golby</i>	1796 Quaker Lane	Twin Falls	734-4443	6-8-06
	2 ANDREA DANLEY	<i>Andrea Danley</i>	730 Sunrise Blvd N	Twin Falls	732-7634	6-8-06
	3 TROY'S DANLEY	<i>Troy Danley</i>	1300 Sunrise Blvd N	Twin Falls	732-7634	6-8-06
	4 Kelly Hamblin	<i>Kelly Hamblin</i>	1170 Broadway Cir	Twin Falls	733-0843	6-8-06
	5 [unclear]	<i>[unclear]</i>	146 [unclear]	Twin Falls	733-8557	6-8-06
	6 [unclear]	<i>[unclear]</i>	163 N.E. 1000	Twin Falls	734-7736	6-8-06
	8					
	9					
	10					
	11					
	12					
	13					
	14					
	15					

Tab 1: Articles of Incorporation, Signatures and Mission Statement

TWIN FALLS COUNTY
ELECTIONS

LARRY HAYCOCK
Election Director
Deputy Clerk
Fax: 208-736-4182

DEPARTMENT
PO Box 126
Twin Falls, Id. 83303

KRISTINA GLASCOCK
County Clerk,
Auditor, Recorder
Telephone: 208-736-4004

STATE OF IDAHO,
ss.
COUNTY OF TWIN FALLS.

November 9, 2006

To whom it may concern:

I, Kristina Glascock, County Clerk of Twin Falls County, Idaho hereby certify that,

One (1) signatures on this petition are those of qualified electors.

Dated this 9th day of Nov., 2006.

Signed: Kristina Glascock
County Clerk

Signed: [Signature]
Deputy Clerk

(Seal of Office)

U
 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 School District Where New Charter School will be Physically Located	Xavier Charter School Twin Falls School District				
* 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
16 Sherrin Kester	<i>Sherrin Kester</i>	2256 Hillcrest Dr.	Twin Falls	208-658-6589	6-11-04
17					
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Philosophy Statement

Xavier's philosophy rests in the vision of a thorough classical education which is embodied in the following statement:

No nobler training exists but that which cherishes the good, the beautiful, and the true, thus producing disciples of knowledge and lovers of wisdom.

“...for then our youth shall dwell in a land of health, amid fair sights and sounds, and receive good in everything; and beauty, the effluence of fair works, shall flow into the eye and ear, like a health giving breeze from a purer region, and insensibly draw the soul from the earliest years into likeness and sympathy with the beauty of reason.” ~Plato's *Republic*

Mission Statement

Xavier Charter Schools are dedicated to providing a classical, intellectually rigorous, content-rich, liberal arts education, preparing students to excel in every duty and guiding them toward wisdom and virtue.

Classical Education is defined as teaching by the same educational principles and toward the same educational pursuits as the ancients. To do so is known as the Trivium, Latin for “the three roads”. The three classical subjects are called Grammar (Elementary years), Logic (Middle School years), and Rhetoric (High School years). Levels of development in the classical sense are Knowledge, Understanding, and Wisdom. The picture is that human beings have three areas of mental capacity: one for gathering up information (*Knowledge*), a second for arranging the information in a logical order (*Understanding*), and a third for putting this information and this ordering to practical use (*Wisdom*). These three capacities are mutually dependent upon each other, but have a logical and developmental order between them. They all develop at the same time, from birth, yet they each pass through periods of intensive development until they finally meet each other and work harmoniously together. Classical Education weaves the subjects of literature, history, language, art, music, dance, math and science together to formulate a student's foundation in cultural literacy.

Xavier Charter School's classical mindset of training a virtuous population is supported by a high-energy, high-expectation program known as Great Expectations. Pillars of Character are taught through history, literature, poetry, prose, quotes, and writing with the end goal of equipping leaders of tomorrow through training of the body, mind and spirit.

Body: The atmosphere of the school and the classrooms will reflect mutual respect so that students will feel empowered to take risks necessary for growth and learning. Mistakes will be seen as opportunities to learn and all ideas will be valued. Teachers will possess positive attitudes necessary to shape and facilitate

Tab 1: Articles of Incorporation, Signatures and Mission Statement

learning in the classroom through encouraging, believing in the students, caring and requiring excellence in every detail.

Mind: We will seek to challenge every student all of the time through a coherent and orderly classical education curriculum. We will have high expectations of our students, and our teachers will possess knowledge and skill necessary to assist students in achieving those high expectations. Students will learn to value knowledge for knowledge's sake.

Spirit: Students will develop the self-respect and discipline necessary to allow them to achieve their personal goals and to become active, responsible members of their communities.

Xavier's uniqueness will be exemplified by:

- The consistency of the instruction models used throughout K-12. Starting with direct instruction in the lower grades and progressing through to Socratic Teaching, concept development, synectics and inquiry models; students will be able to recognize instructional models from grade to grade. Instruction will have the appearance of a spectrum, rather than a patchwork quilt. Students will be able to take those instructional techniques and incorporate them into learning strategies.
- The consistency of the cultural/climate expectations. Behavioral standards are the same for each classroom and teacher throughout the school.

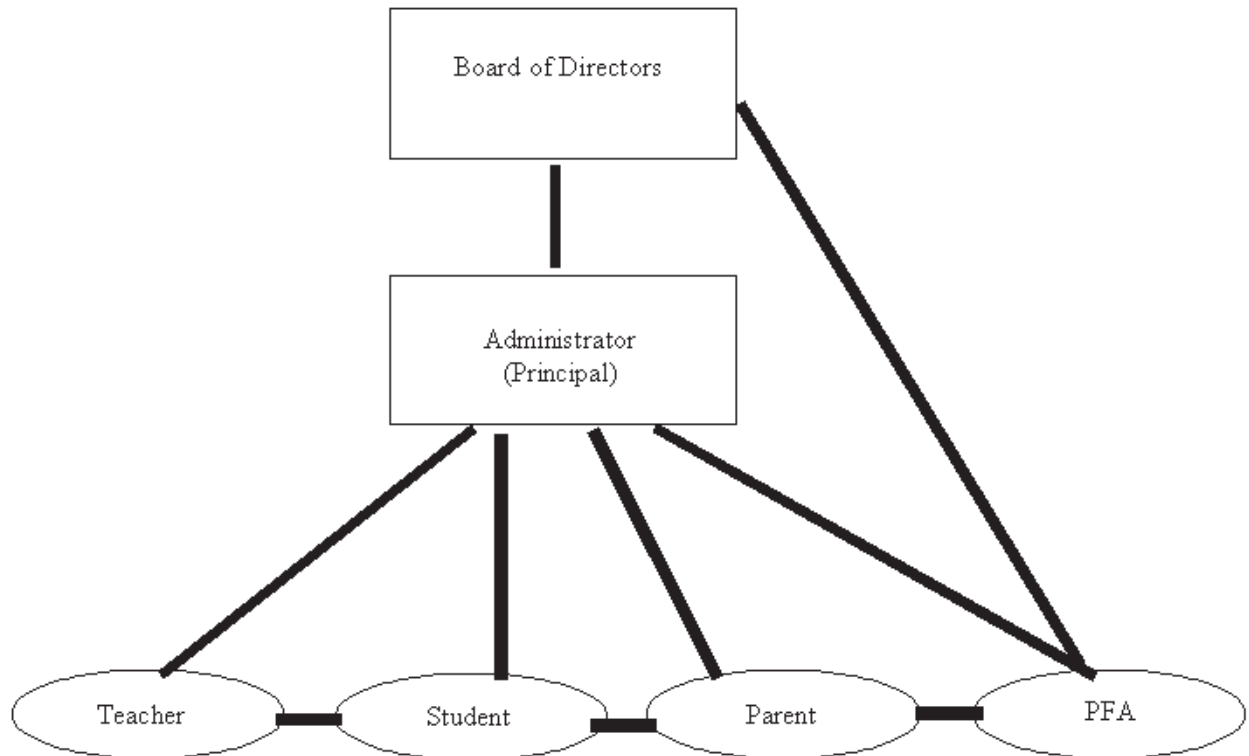
Socratic Teaching shall be defined as a powerful, teaching tactic for fostering critical thinking where the focus is on giving students questions, not answers. Teachers model an inquiring, probing mind by continually probing into the subject with questions directed at the student.

Synectics shall be defined as an approach to creative thinking that depends on understanding together that which is apparently different. Its main tool is analogy or metaphor.

TAB 2: PROPOSED OPERATIONS

Proposed Operations

The Xavier Charter School will function as a non-profit organization, organized and managed under the *Idaho Nonprofit Corporation Act*, as outlined in the school's Corporate Bylaws and Articles of Incorporation. Accordingly, the organizational flow chart representing the flow of information and the chain of command is as follows:



The above flow chart includes, but is not limited to, the following details:

- The Board, as a board, shall have the full power and duty to manage and oversee the operation of the Corporation’s business.
- The Board of Directors will have the responsibility to approve the selection of the school Principal, who may not be one of its members. The Board also will be responsible for hearing, and approving or disapproving, the recommendations of the school Principal with respect to changes in staffing, programs, or curriculum.
- The Board of Directors and PFA (Parent Faculty Association) of Xavier Charter may provide consultation to the Principal regarding ongoing plans for the school.
- The Board will, when necessary, adjudicate disagreements between parents and the administration.

- The Board is responsible to the authorized chartering entity directly.
- The Principal (Administrator) represents the Board of Directors of the Charter School as the liaison between the Board and the charter school.
- The Principal supervises, directly or indirectly, all employees of the charter school.

The school may hire staff or contract with a service provider for services such as transportation, food service, accounting, business management, or other business or educational services. A list of all contracts identifying the party with whom XCS has contracted, the length of the contract, and the expenditures required by the contract must be submitted to the Authorized Chartering Entity for its review no later than thirty (30) days prior to the opening of school and thereafter, annually.

Potential Effects

Xavier Charter School will be located within the Twin Falls School District Area. The City of Twin Falls is a growing community which researchers have targeted as being the next “big” city in Idaho, with a potential population of over 100,000 by the year 2015. Twin Falls School District has recently passed a bond to develop and build a second high school by 2010. The bond did not address the facility needs of the growing elementary population within the district. Xavier Charter School plans to open in the fall of 2007 with one class in each grade for grades K – 8. Xavier’s expanding into grades 9 in the school year 2008-2009 will be dependent upon approval from the Idaho Public Charter School Commission. Further expansion for grades 10 – 12, and/or increasing the number of students per grade in subsequent years will be dependent upon total enrollment, facility, budget needs, surveyed parental support, student pre-registration and upon the approval from the Xavier Charter School Board of Directors. The loss of ADA income due to Xavier’s enrollment will be offset by the increase in projected population for the Twin Falls area and will therefore minimally impact the Twin Falls School District financially. There are currently no other charter schools within the Twin Falls School District area.

Facilities

The goal of Xavier Charter School is to provide a facility in a convenient location that will both ensure the safety and enhance the education of our students. In order to achieve this goal, Xavier Charter School will acquire from county information the following: zoning schedule of use control, changing of current zoning use, available possible land sites, landowners, location of current city services, projected future use maps, and the cost of running city services. In order to be able to construct a complete facility, we anticipate the necessity of locating our students for the first one to three years in a leased facility for the purpose of providing a contractor with the needed time to construct a permanent facility. A permanent structure will meet the needs of both the primary and secondary grades and will meet all required state and local guidelines concerning the construction of a public school. Our budget assumptions reflect these letters of intent and/or proposals.

All sites will be considered based on factors such as convenience for transportation, safety, diversity of the immediate surrounding neighborhoods, access to major utilities, and affordability.

Xavier Charter School shall provide certification that the facilities used meet all requirements for health, safety, fire and accessibility prior to the opening of the school and will provide for the regular inspections of the facilities by authorized inspectors for the aforementioned compliance. Any facilities that the Board shall secure will meet the legal requirements described above

A listing of two possible sites is presented in the appendix as part of the budget proposal.

Administrative Services

Administrative services will be provided by the Xavier Charter School Principal supplemented by other contracted services as needed. Annual programmatic and financial reports will be presented to the Board of Directors and the authorized chartering entity. The Principal will also serve as the liaison between the Xavier Charter School and its Board of Directors, and parents. The Principal, in coordination with the Xavier Charter School Board of Directors, will determine the day-to-day operations of Xavier Charter School.

Potential Civil Liability

Xavier Charter School shall obtain its own liability insurance and insure its governing board, employees, contents, equipment, and fixtures against injury, damage, or loss. Additionally, both the facility provider and XCS shall insure their respective interests against damage and for liability exposures with minimum limits of liability of not less than \$1,000,000 per person, \$5,000,000 aggregate or such limits as imposed by the State requirement or as otherwise determined by the board. All such insurance policies shall name Xavier Charter School as an additional insured and provide for a least ten (10) days written notice prior to cancellation. The facility provider and Xavier Charter School shall provide to each other certificates of insurance prior to the commencement date of facility occupancy evidencing such coverage.

All contract service providers are required to have adequate limits of liability insurance as determined by the board or other state requirement and shall maintain the same throughout any contract period.

Xavier Charter School shall operate its business in conformance with all local, state and federal environmental laws.

Specific documentation of the above outlined requirements is contained in the respective insurance policies negotiated with the insurance providers.

TAB 3: EDUCATIONAL PROGRAMS

Educational Goals

Xavier Charter School's Mission Statement:

Xavier Charter Schools are dedicated to providing a classical, intellectually rigorous, content-rich, liberal arts education, preparing students to excel in every duty and guiding them toward wisdom and virtue.

It is the goal of Xavier Charter School to pursue excellence in all things. This lofty goal comes with the realization that excellence is never an accident – it comes from careful planning, exacting actions and precise follow through so that excellence becomes the norm, the habit that students, teachers and administrators will work toward every day.

This will be accomplished through strict adherence to the Thoroughness Standards.

Educational Thoroughness Standards

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

Goal: In keeping with our theme of addressing the needs of the whole child; body, mind and spirit, the goal of Xavier Charter School is to provide surroundings that maximize the learning process by having a safe and orderly facility where students will be academically challenged without the fear of threat.

Objectives: Xavier Charter School will:

- Develop procedures of conduct for students for proper behavior in the class and around the school. Procedures help establish a non-threatening environment where students are allowed to make mistakes without the anxiety of ridicule.
- Develop a plan of action for addressing discipline concerns that emphasizes character building concepts that allows students to choose the right course of action.
- Provide a staff/student handbook that provides rules and guidelines for physical safety. These guidelines will include and not be limited to the procedures for fire drills, visitors, reporting unsafe equipment, methods for checking students in and out of school, notification of parents' rights, and staff monitoring responsibilities..
- Provide a facility that meets all required city, state, and federal health, accessibility, safety, fire, and building codes for public schools, and is inspected as required to ensure the safety of students and staff.
- Establish, publish, and enforce policies that define acceptable and unacceptable behavior, including zero tolerance for weapons, and use or sale of alcohol, tobacco,

- and drugs. (see appendices for these policies.)
- Create an environment that encourages parents and other adults to visit the school and participate in the school's activities.

Standard 2. Educators are empowered to maintain classroom discipline. Each staff member has the right to teach without fear of violence.

Goal: Create uniform school wide discipline and consequence procedures that are founded in dignity and logic. Consistency from all classrooms, to the playground, to the lunch room and anywhere else on the school property will insure equitable handling of infractions..

Objectives: Xavier Charter School will:

- Develop a student handbook providing a code of conduct including clear expectations and consequences for unacceptable behavior, and a process for teachers to handle minor and major infractions in the classroom setting.
- Teach appropriate behaviors and foster responsible decision-making skills where students assume responsibility for their own behavior.
- Establish and maintain consistent rules aligned throughout the school.
- Celebrate the success of good behavior

Standard 3. The basic values of honesty, self-discipline, altruism, respect for authority, and the central importance of work are emphasized.

Goal: Educate students as to classical views of self-command using traditional teaching methods so that each student will recognize pillars of character, practice virtuous actions, and be able to differentiate between right and wrong

Objectives: Xavier Charter School will:

- Have teachers model desired behaviors and attitudes such as those set forth in the following Nine Pillars of Character and Eight Expectations for Living as delineated in the Great Expectations Model:

9 PILLARS OF CHARACTER

1. Responsibility

We accept obligations related to our own good and the good of others, and we act on those obligations in a manner suitable to their timely and satisfactory fulfillment. We are willingly accountable for what we do and say, and we seek to learn from our mistakes.

2. Respect

We regard others and ourselves as deserving of kind and just treatment. Our conduct is considerate and polite. We look for the good in others and demonstrate compassion. Our attitudes toward others and their property reflects the way we wish to be treated.

3. Perseverance

We spurn despair and strive to complete tasks to the best of our abilities, regardless of the difficulty. We respond creatively to overcome obstacles and ask for help when necessary.

4. Integrity

We are individuals of strong ethical values, who make consistently good choices in keeping with our knowledge of right and wrong. We seek the wisdom of others in cases of moral uncertainty.

5. Honesty

We never knowingly induce another to believe what is false. We are always truthful in what we say and do, regardless of the circumstances or consequences.

6. Courage

We always do what we know to be right despite fear, hardship, and opposition. We resist negative peer pressure, defend our rights and the rights of others, and encourage others to do the same.

7. Citizenship

We honor rules and laws and respond to authority in obedience. We give of our time and abilities to serve others. We uphold liberty and social equality through respect for individual differences and knowledge of our democratic system.

8. Cooperation

We work with others for the good of all involved with a positive attitude. We equitably participate in mutual responsibilities for the completion of shared ends and direct our efforts and attention accordingly.

9. Excellence

We seek to raise the standard for ourselves to that which surpasses the ordinary. Because we understand that excellence is not an act but a habit, we strive to practice it consistently so that we might grow to be prosperous and fulfilled.

Eight Expectations for Living –

1. We will value one another as unique and special individuals.
 2. We will not laugh at or make fun of a person's mistakes nor use sarcasm or putdown.
 3. We will use good manners, saying "please," "Thank you," and "excuse me" and allow others to go first.
 4. We will cheer each other to success.
 5. We will help one another whenever possible.
 6. We will recognize every effort and applaud it.
 7. We will encourage each other to do our best.
 8. We will practice virtuous living, using the Nine Pillars of Character.
- Help students strive for excellence in learning and practicing the Life Principles

and Eight Expectations for Living.

- Display every student's work in some positive form with teachers providing positive commentary through oral and/or written feedback.
- Daily recite or reflect upon a school, class and/or personal creed to reaffirm commitment to excellence.

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

Goal: To equip each student with the necessary communication skills to prepare them for the 21st century.

“My aim, then, is the education of the perfect orator. The first essential for such a one is that he should be a good man, and consequently we demand of him not merely the possession of exceptional gifts of speech, but all the excellences of character as well.”

Quintilian

Objectives: Xavier Charter School will:

- Emphasize students and teachers speaking in complete sentences and addressing one another by name, demonstrating mutual respect and common courtesy.
- Use enriched vocabulary that is drawn directly from classical education sources such as classic literature, myths, fables, poetry, proverbs, quotes, foundational writings and other genres.
- Emphasize and practice good listening skills and techniques.
- Emphasize meaningful language experience through daily memory work, recitations and/or writing that are exuberant and full of expression.
- Provide opportunities for music participation schoolwide. Reading and writing of music is also considered a communication skill that falls within the notion of “literacy”. Music is a kind of language; some even term it the “Universal Language”.

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

Goal: Help children establish strong foundations of knowledge, grade by grade through a solid, specific, shared core curriculum that will provide all children, regardless of background, with the shared knowledge they need to be included in our national literate culture.

Objectives: Xavier Charter School will:

- Use the Idaho State Board of Education Standards as a foundation for K-8 curriculum. Core Knowledge Sequence is the K-8 vehicle implemented to meet and exceed Idaho State Standards. An advanced classical, liberal arts high school curriculum will provide the knowledge necessary for higher levels of learning.

- Develop a spectrum of instructional tools that are research driven/data proven to ensure student learning and to be included in direct/explicit instruction, Socratic Teaching, concept development, synectics and inquiry models that are consistent throughout the K-12 classical model.
- Use field trips and career development discussions when appropriate.
- Teach students as a whole group, thoroughly and to mastery, with intensive and specific modifications insuring success for all including identified special needs students.
- Expect teachers to “teach on their feet”, meaning engaging students personally, adjusting instruction as necessary and holding high expectations of all students.

Standard 6. The skills necessary for the students to excel in any duty in life are taught.

Goal: Provide students with: communication skills so that they can interact with others to influence the world; cultural literacy, so that they possess a reservoir of common facts, ideas and references known to all in the culture as the basis for communication.

Objectives: Xavier Charter School will:

- Provide a strong foundation in classical education that includes basic reading, writing, science, social studies, and computational skills.
- Encourage the effective use of technology as a tool.
- Enable students to develop the following intellectual habits for life: adapt to new situations and respond effectively to new information; solve problems; locate and evaluate information from a variety of sources; make flexible connection among various disciplines of thought; think logically and make informed judgments.
- Enable students to develop the following personal habits: accept 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; responsible time management; assuming a fair share of the work load; and work cooperatively with others to reach group consensus.
- Provide students with jobs in their classrooms and throughout the school to teach the importance of citizenship and instill ownership in the school.

Standard 7. The students are introduced to technology.

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

Objectives: Xavier Charter School will:

- Use interactive technology as tools in an integrated educational program rather than as primary instructional delivery systems.
- Emphasize the acquisition of basic computer skills as a supplementary medium of communication and research to complement other approaches.

- Use computers as tools for such activities as accessing research information, authoring, computation, record keeping, data storage, and communication.

Standard 8. Students will become responsible citizens of their homes, schools, and communities is emphasized.

Goal: Develop responsible citizenry with respect to the 9 Pillars of Character and the Eight Expectations for Living.

Objectives: Xavier Charter School will:

- Provide students with opportunities to understand and apply concepts and principles embedded in: classical literature, history, geography, political science, economics and constitutional studies.
- Provide K-6 students the opportunity to memorize an original American document to equip students in their country's foundation:

K – Pledge of Allegiance (revised version - 1954)

1st – America the Beautiful (first verse) by Catharine Lee Bates

2nd – Harriet Tubman by Elizabeth Greenfield

3rd – America (4 verses) by Samuel F. Smith

4th – Preamble to the Constitution

5th – Gettysburg Address by Abraham Lincoln

6th – Declaration of Independence

- Upon further development of the 7-12 curriculum, American document memorization will also be required.
- Further enhance the ability of students to participate in classroom community service projects:
 - K-5 – community projects established and supported by class parents
 - 6-8 – class sponsored community projects
 - 9-11 – individual/small group community projects
 - 12 – Community action piece as part of the student's senior project

Education Programs:

Xavier Charter School will achieve the Thoroughness Standards by: implementing a classical education curriculum that is Solid, Sequenced, Specific and Shared; by establishing a culture of great expectations of all students, faculty and administration; and by developing a community of learning and professional development among the staff.

Definition of “Educated Person”

To educate a person is to engage in an education that is timeless. To ensure the learning process, Xavier will concentrate on three areas: curriculum, climate and instruction.

Curriculum Overview

For the sake of academic excellence and greater cultural literacy, schools need a solid, specific, shared core curriculum to help children establish strong foundations of knowledge, grade by grade. Xavier Charter School will remain aligned with the general goals and curriculum of the Idaho Core Standards while incorporating the concepts of classical education as outlined here:

- **Solid Foundations** - Many people say that knowledge is changing so fast that what students learn today will soon be outdated. While current events and technology are constantly changing, there is nevertheless a body of lasting knowledge that should form the core of the curriculum. Such solid knowledge includes, for example, the basic principles of constitutional government, important events of world history, essential elements of mathematics and of oral and written expression, widely acknowledged masterpieces of art and music, and stories and poems passed down from generation to generation.
- **Sequenced** - Knowledge builds on knowledge. Children learn new knowledge by building on what they already know. Only a system that clearly defines the knowledge and skills required to participate in each successive grade can be excellent and fair for all students. For this reason a clear outline of content to be learned grade by grade will be developed. This sequential building of knowledge not only helps ensure that children enter each new grade ready to learn, but also helps prevent the many repetitions and gaps.
- **Specific** – A classical education curriculum sequence is distinguished by its specificity. By clearly specifying important knowledge in language arts, history and geography, math, science, and the fine arts, the curriculum presents a practical answer to the question, "What do our children need to know?"
- **Shared** - Literacy depends on shared knowledge. To be literate means, in part, to be familiar with a broad range of knowledge taken for granted by speakers and writers. For example, when sportscasters refer to an upset victory as "David knocking off Goliath," or when reporters refer to a "threatened presidential veto," they are assuming that their audience shares certain knowledge. One goal of the curriculum will be to provide all children, regardless of background, with the shared knowledge they need to be included in our national literate culture.

Character Education/School Climate

It is with the realization that no matter how good a curriculum is, no matter how prepared the teachers are, and no matter how new, updated and technologically advanced a facility is, if there is not the belief that every child can learn, and every teacher can make a difference, than all is for naught.

With this in mind, Xavier will strive to follow its Nine Pillars of Character and the Eight Expectations for Living as outlined in Thoroughness Standard #3.

The Great Expectations Model is guided by six basic Tenets. These Tenets provide guidelines for training and implementation and serve as standards for evaluating the school, teachers and staff. The Tenets are as follows:

- High Expectations - Teachers must hold high expectations of students. When students recognize those expectations, they will respond by reaching upward to achieve them.
- Teacher Attitude and Responsibility - Teachers who have positive attitudes possess the influence necessary to shape the attitudes of students. The teacher's attitude is one of a facilitator of learning who encourages and believes in students, and who requires excellence in every detail.
- All Children Can Learn - All children can learn no matter what labels are placed upon them, whether it is learning disabled, low socioeconomic status, unstable home life, inner-city, or rural.
- Building Self-Esteem - Building self-esteem is the key to helping students believe they are capable of learning and motivating them to try.
- Climate of Mutual Respect - Students are empowered to take risks necessary for growth when encompassed in a climate of mutual respect in which mistakes are seen as opportunities to learn and their ideas and efforts are appreciated. The teacher must extend the same respect to students that he/she desires to receive from them.
- Teacher Knowledge and Skill - The teacher must be knowledgeable and skillful in learning theory and teaching methods that enable students to achieve academic and social success.

With the Tenets comes Seventeen Classroom Practices to guide implementation of the ideal into each classroom. Consistency from classroom to classroom will be the hallmark for Xavier.

Classroom Practices:

1. The teacher models desired behaviors and attitudes such as those set forth in the Life Principles and the Eight Expectations for Living.
2. Students and teachers speak in complete sentences and address one another by name, demonstrating mutual respect and common courtesy.
3. Students are taught as a whole group, thoroughly and to mastery, with intensive and specific modifications insuring success for all.
4. Lessons are integrated, related to the real world, reviewed consistently, and connected to subsequent curricula.
5. Critical thinking skills are taught.
6. A non-threatening environment, conducive to risk-taking, is evident. Mistakes are okay. Students are taught to learn from their mistakes and to correct them.
7. Memory work, recitations, and/or writing occur daily. These enhance character development and effective communication skills while extending curricula. Recitations are exuberant and full of expression.
8. Enriched vocabulary is evident and is drawn directly from challenging writings and/or wisdom literature. Sources should include classic literature, myths, fables, poetry, proverbs, quotes, and other genres.
9. The Magic Triad, a positive and caring environment, and discipline with dignity and logic are evident.

10. Every student's work is displayed in some form. Teachers provide positive commentary through oral and/or written feedback.
11. Word identification skills are used as a foundation for expanding the use of the English language.
12. Students assume responsibility for their own behavior. Their choices determine consequences.
13. A school, class, or personal creed is recited or reflected upon daily to reaffirm commitment to excellence.
14. All students experience success. The teacher guarantees it by comparing students to their own past performance, not the performance of others. Students are showcased, and past failures are disregarded.
15. The teacher teaches on his/her feet, engages students personally, holds high expectations of students, and does not limit them to grade level or perceived ability.
16. Each classroom has a student who greets visitors and makes them feel welcome and comfortable.
17. Teachers and students celebrate the successes of others.

Instructional Model

Similar to the curriculum, instructional models must be solid, sequenced, specific and shared. Solid in that models used must be proven, data supported techniques that intensify the learning experience for students. Sequenced so that what is started in Kindergarten, continues throughout each grade, adapting and changing as needed for each new grade level, but recognizable none the less. Specific so that it targets each topic, so that teaching is with a purpose. And Shared – Xavier will establish itself as a learning community of teachers – each one teaching and learning from each other.

Logistically, each teacher will be on a rotation to receive specific, targeted professional development approved by the Board of Directors that supports Xavier's vision and mission statements. They in turn will be the mentors/instructors of that professional development to the rest of the staff. This will insure that not only will each teacher will receive quality professional development every few years, each teacher will have the responsibility and opportunity of being a team leader for Xavier Charter School.

Targeted initial instructional professional development will be obtained from Great Expectations, Oklahoma, and Core Knowledge and/or others as recommended by the Principal and teachers and approved by Xavier's Board of Directors.

Special Education Services

Xavier Charter School will comply with the Individuals with Disabilities in Education Act ("IDEA"), Section 504 of the Rehabilitation Act ("Section 504"), and the Americans with Disabilities Act ("ADA").

To ensure the provision of a free and appropriate public education to all school-age children in need of Special Education Services, Xavier Charter School provides a Special Education Program in accordance with federal and state regulations and guidelines.

Specifically, Xavier Charter School adopts and complies with the current Idaho Special Education manual from the State Department of Education. To the best of our knowledge this manual reflects IDEA guidelines and Special Education Best Practices. The Xavier Charter School Special Education administrator will be the Section 504 Compliance Officer.

It is the intent of Xavier Charter School to identify, locate, and evaluate all enrolled children who may have disabilities. Disability, in this instance, means such conditions as hearing impairments, visual impairments, speech or language impairments, specific learning disabilities, emotionally disturbed, multiple disabilities, cognitive disability, other health impairments, physical impairments, autism, and traumatic brain injury.

Every year starting in September and continuing throughout the year, Xavier Charter School will make a concerted effort to identify children with disabilities. The September in-service shall be a review of special education requirements, regulations and obligations so that Xavier Charter School is alert to the needs of the children for whom it is responsible.

The assistance of all staff members and agency personnel in this process is essential to accomplish this task, and they must work to ensure that this goal and responsibility are achieved.

Xavier Charter School asks for information about each child that is identified to establish answers to such questions as:

- What is the problem?
- What has already been done about the problem?
- What background information is available?

This information may be collected in several ways including interview, observations, screening, and testing. This information may be obtained from parents and the student, or from other agencies that have information about the student. This information will be used to decide whether the child has a disability and if he or she needs special services.

All information collected will be held in strict confidence and released to others only with parental permission or as allowed by law. Parents may have a copy of any records kept upon request. A copy of the *Procedural Safeguards Notice* from the Idaho Special Education Manual will be provided to parents of Special Needs students each year in accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004).

Xavier Charter School keeps a record of all persons who review confidential records and also maintains a list of employees who may have access to records. When the information collected, maintained, or used is no longer needed to provide educational services to the child, the parents will be informed.

Parents and students have rights in this process. Parents have the right to:

- Review their child's records

- Refuse permission to release information (except as required by, or permitted by, law to be released)
- Request that information they believe to be inaccurate, misleading, or in violation of their child's privacy or other rights be changed. Requests for changing information in a student's record must be made to Xavier Charter School in writing, not by email. Response from the school to the request will be made within a reasonable time. If the school makes a decision not to change the information, the parents/guardian may request a district hearing following the process outlined in the Idaho Special Education Manual Section 11 from the State Department of Education.

Xavier Charter School appoints one person to make sure that information archived on the students is kept confidential and also has a system that assures a practical method of identifying which children are currently receiving special education services and which children are not. Certain data regarding children are maintained within this system.

If a student at Xavier Charter School is found to be eligible for special education services at the charter school, services will be provided for that student in one or more of the following ways:

- Xavier Charter School will form a multidisciplinary team to consider a student's eligibility for special education. If the team determines the need for an evaluation by personnel, such as a school psychologist, speech therapist, or occupational therapist, not currently employed by Xavier, such evaluation may be contracted with a private provider or local school district.
- A certified special education teacher will be responsible to monitor Individual Education Plans (IEPs) and supervise the implementation as written. The special education teacher, or an educational assistant under his/her supervision, will provide services in an inclusion or a pullout model depending on the degree of intervention necessary to meet the student's needs. The special education teacher will consult with the general education staff to utilize effective classroom interventions, adaptations, and modifications.
- Related services, such as speech or language therapy, behavioral therapy, occupational therapy, or transportation, refer to those services necessary for a student to benefit from their special education. When necessary, Xavier Charter School will contract with a private provider or local school district for the provision of related services. Direct speech, language, behavioral, or OT services may be provided by a paraprofessional under the direct supervision of a licensed therapist. The supervision of paraprofessionals will be outlined in the student's IEP.
- In the event that the IEP team determines that the student's academic needs cannot be met on site, Xavier Charter School may contract with a local school district or private provider to provide services.

Few legislative mandates of the federal government have such far-reaching implications for local school districts. The school is committed to working with the community in providing services that meet the individual needs of each child.

Implementing IDEA disciplinary procedures

The discipline procedures adopted in the Idaho Special Education Manual will be utilized in disciplinary matters for students with disabilities attending XCS. These adopted policies and procedures will meet the requirements of the IDEA

The Role of General Education Teachers in Regard to Special Education

All special education students will remain in the “regular” class unless otherwise indicated on their IEPs. They are included in all class activities. “Parent” will be defined according to IDEA 34 CFR 300.30. The special education teacher will conference a minimum of 1 time per week with the general education teacher. Teachers are included in the student’s IEP conference. IEP meetings shall be held annually and teachers will be given advanced notice of the date and time for these meetings. Teachers need to sign the child’s IEP as the regular classroom teacher. If the teacher monitors the goals of this IEP and does quarterly progress reports on the status, the IEP can benefit the teacher in understanding the child’s special needs and the focus taken in the delivery of services to the child.

The special education teacher will contact the regular teacher on an “as needed basis” to provide the teacher with information that may be valuable. The teacher should contact the special educator with questions or concerns. Working as a team with special needs students always yields the best results.

Limited English Proficiency

In addition, students attending Xavier Charter School with limited English proficiency, (LEP) will be assessed using the Home Language Survey to determine the extent to which they may require Title III services or a LEP instructor. Every effort will be made to help the student attain proficiency in the English language.

Gifted and Talented Students

XCS shall provide reasonable services to high performing students utilizing eligibility criteria developed by the Idaho Department of Education as stipulated in Idaho Code 33-2003. The XCS educational program will support the needs of gifted and talented students through its highly challenging curriculum. Honors options are offered in most high school level classes.

Plan for Dual Enrollment Participation

Students enrolled in the charter school shall be allowed to participate in dual enrollment with traditional public schools as required by Idaho Code 33-203. Dual enrollment options will be subject to district procedures as allowed in Idaho Code 33-203 (1).

Parents will be provided information concerning dual enrollment options and requirements in accordance with the local school district policies. State funding of a dually enrolled student will be only to the extent of the student’s participation in the public school programs.

Dual enrollment shall include the option of enrollment in a post-secondary institution. Any credits earned from the accredited post-secondary institution shall be credited toward graduation requirements as outlined in Xavier Board Policy.

Tab 3: Educational Programs

TAB 4: MEASUREMENT OF PROGRESS

Measurable student educational standards

Xavier Charter School's measurable standards are reflected in our Mission Statement: Xavier Charter Schools are dedicated to providing a classical, intellectually rigorous, content-rich, liberal arts education, preparing students to excel in every duty and guiding them toward wisdom and virtue.

Standard 1: Students at Xavier Charter School enrolled continuously from the beginning of the school year, will show annual academic improvement as measured by:

- 80% of K – 3 students will score equal to or better than the statewide benchmark as measure by the Idaho Reading Indicator.
- 90% of students will achieve satisfactory or above in core subjects on quarterly academic progress reports as measured by teacher developed classroom assessment tools, such as, but not limited to culminating portfolios, assignments, quizzes and tests.
- Xavier Charter School will meet or exceed the state proficiency requirements each year in all required subjects as measured by the Idaho Standards Achievement Test (ISAT) and/or Idaho Core.

Standard 2: Daily average school absentee rate of less than 4% when calculated on a monthly basis.

Standard 3: Students will be able to recite a school, class, or personal creed after 6 consecutive months at Xavier Charter School assessed by the classroom/advisory teacher using the following measurements:

Grades K – 6:

- 85% of students participating in a flawless recitation of a school or class creed as part of a whole group (class) setting.
- 85% of students individually reciting a grade appropriate class creed flawlessly, with a maximum of two prompts.

Grades 7-12

- 85% of students participating in a flawless recitation of a school or class creed as part of a whole group (class) setting.
- 85% of students individually reciting a flawless class or personal creed.

Standard 4: 95% of all students, K-12, will participate in yearly career planning review as appropriate to each grade level.

Completion/progress monitoring benchmarks are:

- 85% of students will achieve satisfactory status or above for their grade appropriate assignment pieces based on teacher developed rubrics.

- 90% of 8th grade students will develop an 8-year plan including a four year high school and a four year post high school career/education plan as part of their career portfolio. 85% of students will achieve satisfactory status or above for the completion of the 8-year plan based on teacher/school developed rubrics.

Standard 5: 90% of students will participate in a yearly community service project as outlined:

K-5 – community projects established and supported by class parents

6-8 – class sponsored community projects

9-11 – individual/small group community projects

12 – community action piece as part of the student’s senior project

- Summer Homework for each child includes a Pay It Forward project.

Standard 6: 95% of students currently enrolled at Xavier Charter School will participate in state-mandated assessments.

Objectives and Targeted Practices

Standard 1: Academic Improvement

Objective: Students will have positive attitudes and perceptions about creating quality work, striving for excellence and interpersonal skills.

Targeted Practice: students will be able to recognized ‘good, better and best’ work, both in their own and others

Students will be able to rewrite papers/projects to reflect corrective comments from others

Students will understand what plagiarism is, and how to create original works.

Objective: Students will acquire and integrate knowledge and experiences from different subject areas.

Objective: Students will gather and use subject area information effectively in order to gain new information and knowledge, classify and organize information, support inferences, and justify conclusions appropriate to the context and audience.

Targeted Practice: Students will be able to use a variety of resources in which to access information.

Objective: • Students will utilize, evaluate, and refine the use of multiple strategies to solve a variety of problems.

Targeted Practice: students will use a variety of problem solving techniques that have been introduced through the instructional models.

Standard 2: Attendance

Objective: Students will experience success in the classroom

Targeted Practice: Every student’s work will be displayed in some form in the classroom and/or school

Evidence that the “Magic Triad” is being used with each student.
The Magic Triad is: a kind word, a gentle touch and a smile.

Objective: The School and each classroom will have a non-threatening environment:

Targeted Practice: there will be no tolerance for abusive language, bullying and/or teasing. Each student has a right to make mistakes and the opportunity to correct them without prejudice.

Standard 3: Recitation of Creeds

Objective: Students will communicate with clarity, purpose, and an understanding of audience using a variety of communication forms and skills.

Targeted Practice: students will develop oral and written projects appropriate to the student’s grade level

Objective: Students will develop their talents in music, visual arts, and/ or performance.

Targeted Practice: All students will participate in the recitation/acting of the school and class poems and vocabulary words.

All students will have access to art instruction

Objective: Students will develop oral and written skills in a non-native language.

Targeted Practice: Students will have access to instruction in a second language. This instruction may be delivered in the form of a uniquely qualified instructor, computer software, and/or other technology assisted instruction.

Standard 4: Career Plans

Objective: Students will reflect on, reconsider and re-evaluate the significance of information and their own learning.

Targeted Practice:
Students will participate in parent-teacher conferences

Standard 5: Community Service Projects

Objective: Students will develop strategies and techniques to use self-regulation, critical, and creative thinking when presented with a task and personalized learning goals.

Targeted Practice: students will learn and use different techniques (such as planners or advanced organizers) to outline and plan time/projects

Objective: Students will deal with disagreement and conflict caused by diversity of opinions and beliefs

Targeted Practice: students will know and use a variety of conflict resolution techniques

Objective: Students will evaluate and manage their behavior as group members

Targeted Practice: students will evaluate their personal contributions as part of the community service piece

Objective: Students will participate in community service that reflects responsible citizenship in a democratic society

Targeted Practice: students will engage in community service as outline in the Thoroughness Standard #6

Course of Instruction

Instruction is inclusive of subject matter content and course offerings. Patterns of instructional organization will be determined by a qualified School Administrator and teaching team. Xavier Charter School will assure students meet the school goals with the state standards as a minimum. This includes special instruction that allows limited English proficient students to participate successfully in all aspects of the school’s curriculum and keep up with other students in the regular education program. It also includes special learning opportunities for accelerated, learning disabled students, and students with other disabilities.

At appropriate grade levels, students will successfully complete instruction in the following that will include but not be limited to:

- Language Arts and Communication will include instruction in reading, writing, English, literature, technological applications, spelling, speech and listening.
- Mathematics will include instruction in addition, subtraction, multiplication, division, percentages, mathematical reasoning and probability.
- Science will include instruction in applied sciences, earth and space sciences, physical sciences, and life sciences.
- Social Studies will include instruction in history, government, geography, economics, current world affairs, citizenship, and sociology. Particular emphasis will be placed on American History, US Constitution and documentation from the USA Founding Fathers.

Grammar School (Grades K-4)

- Other required instruction for all students and other required offerings include:
- Fine and Performing Arts
- Health (wellness)
- Physical Education (fitness)

Additional instructional options as determined by XCS include:

- Foreign Language

Logic School (Grades 5-8)

No later than the end of Grade eight (8) all students will develop parent-approved student learning plans for their high school and post-high school options. The learning plan will be developed by students and parents or guardians with advice and recommendation from school personnel. It will be reviewed annually, may be revised at any time, and will follow all rules pertaining to such learning plans as set forth by state rule. XCS will have met its obligation for parental involvement if it makes a good faith effort to notify the parent or guardian of the responsibility for the development and approval of the learning plan. A learning plan will not be required if the parent or guardian requests in writing, that no learning plan be developed.

Other required instruction for all students includes:

- Health (wellness)
- Physical Education (fitness)

Other offerings of the school might include:

- Fine & Performing Arts

Additional instruction options as determined by XCS. For example:

- Spanish

Rhetoric School (Grades 9-12)

Students will continue to maintain a Career Portfolio for their high school and post high school options. The K-12 portfolio will be developed by the students with advice and recommendations from school personnel.

Other required instruction for all students includes:

- Physical Education (fitness)
- Foreign Language
- Fine and Performing Arts

Additional instructional options can be determined by the Board of Directors so that graduation requirements from Xavier Charter School meet or exceed Idaho State Board of Education requirements.

Rhetoric School Graduation Requirements:

Graduation requirements for Xavier Charter School will meet or exceed state requirements. Current minimum requirements for graduation will be:

English	8 credits	American Government	2 credits
Math	6 credits	Economics	1 credits
(Algebra 1 & above)		Health	1 credits
Speech	1 credits	Physical Education	2 credits
Science	6 credits	Humanities	4 credits
US History	4 credits	Electives	12 credits

A minimum of 14 credit possibilities will be available each year.

Academic Mastery

Students in attendance at Xavier Charter School will be expected to do the following:

- Meet the statewide performance standards adopted by the Idaho State Board of Education including but not limited to: Language Arts, Mathematics, Science, Social Studies and Physical Education. Students of XCS will be tested with the same standardized tests as other Idaho public school students.

Achieve developed standards for age levels, content areas and outcomes addressed by the State Board of Education. These standards may be measured by student products, performances, exhibitions and any other future tests adopted developed by the Idaho State Board of Education

Remediation

Evaluation of progress assessment data could prompt additional help that could include in-class remediation, tutoring or evaluation for Special Education services. Data indicators include, but are not limited to:

- Not reaching grade level on state adopted standardized tests.
- Reading below grade level as determined by IRI in grades K – 3; grades 4 – 12 teachers will use multiple sources of data such as classroom grades, fluency checks, comprehension checks, and/or computerized programs to determine a student’s reading level.
- Failure to do math at grade level as determined by program assessments and/or on state adopted standardized tests.

Provision by which students will receive standardized testing

The students at Xavier Charter School will be evaluated using adopted statewide performance/academic assessments in the areas of Language Arts, Mathematics, Reading, Science, Social Studies and others as targeted by the Idaho Board of Education. Additional yearly assessment tools may be required as determined by the Xavier Board of Directors.

Results will be reported as follows:

- Individual student progress
- Grade level/school composite scores
- Year to year comparative results by subject
- Comparative results between Xavier, state and national averages

Provision ensuring state accreditation of charter school

Xavier Charter School will be accredited through the State of Idaho set forth by the rules and regulations of the Idaho State Board of Education. Training will be obtained for properly applying for accreditation including the correct procedures for submitting reports. Accreditation by the Northwest Association of Accredited Schools (NAAS) may be sought in addition to State accreditation in the future.

Provision plan for improvement per NCLB

Student learning is the primary focus for Xavier Charter School. Our current plan entails data collection and evaluation on a regular schedule as outlined under Tab 4. A Strategic Plan would be in place as part of our accreditation process with the State of Idaho. Should it be determined through our measurement systems that learning is being compromised, steps will be taken by the Principal and the Board of Directors to identify

and target school and individual needs. A comprehensive plan of improvement will be developed that would examine curriculum, time on task, teaching instruction, and other important process that effect student learning.

TAB 5: GOVERNANCE STRUCTURES

Description of governance structure

An organizing group of founders have written the initial petition for a Charter for Xavier Charter School and have recruited and appointed an initial Board of Directors. The founders will continue to be a data gathering entity, recommending curriculum, teaching instruction, professional development and/or daily operations that will reflect the vision, purpose and mission of Xavier Charter School to the Xavier Board of Directors. Additional Founding Members may be recruited prior to the official opening of the first school year in order to accomplish the goals of Xavier Charter School. This group will remain as advisors to the Board of Directors. The number of Founding Families is anticipated not to exceed ten families.

Xavier Charter School, Inc. is a non-profit organization organized and managed under the Idaho Nonprofit Corporation Act. The Corporation is organized exclusively for educational purposes within the meaning Section 501(c)(3) of the Internal Revenue Code of 1986, or the corresponding provisions of any future federal income tax code.

Upon approval, members of the Governing Board are deemed public agents to control the Charter School. The Governing Board (hereafter called the Board of Directors) has all the power and duties afforded to a Board of Directors. The Charter School will be considered a public school for all purposes and, as such, shall be responsible to identify and comply with all statutory requirements affecting the operation of a public school. Therefore, upon approval, the Board of Directors meetings will follow the open meeting laws, keep accurate minutes and make said minutes available to the public.

The Articles of Incorporation for Xavier Charter School, Inc. were filed with the Secretary of the State of Idaho June 8, 2006. The SS-4, Application for Employer Identification Number, was submitted June 8, 2006. The 501(c)(3) will be completed upon approval of the charter.

The governing body consists of directors elected or appointed as set forth in the corporate bylaws section 4.3. The number of Directors constituting the Board of the Corporation shall be not less than five (5) or more than seven (7) Directors. The function of the Board can be described as policy making, advising and evaluating. The Board shall have further duty of directing the financial means by which the educational program is conducted. They shall also ensure that the community be informed of the needs, purposes, values, and status of the charter school.

The Board, as a board, shall 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 Charter School Board of Directors by the State of Idaho as provided in the "Public Charter Schools Act of 1998." (I.C. 33-5204) The Governing Body will adhere to the Xavier Charter School Corporate Bylaws (specifically Articles 5 and 8) addressing the Idaho Open Meeting Law.

During the initial year of operation, the Board shall be comprised of at least the following positions: chairman, vice-chairman, secretary, and treasurer. The responsibilities of these positions are outlined in the Corporate Bylaws.

The Board of Directors will be determined through elections as outlined in the Corporate Bylaws. The Corporate Principals will remain the same unless the Articles of Incorporation are amended through the Idaho Secretary of State's office.

Liability

Upon approval, Xavier Charter School will be liable for all acts, omissions, debts or other obligations. To the fullest extent permitted by law, Xavier Charter School shall defend, hold harmless and indemnify the State of Idaho, State Board of Education, State Charter School Commission, the local school district, or any other district against any claim, action, loss, damage, injury liability, cost or expense of any kind or nature, including, but not limited to, attorney's fees and court costs, arising out of the operation of Xavier Charter School and/or arising out of the acts or omissions of the agents, employees or contractors of Xavier Charter School. Upon approval, the Xavier Charter School will secure and maintain insurance for liability, errors and omissions, and property loss. There will be no liability for the approving authority, except as may be provided in an agreement or contract between the authorizer and XCS. Pursuant to Idaho Code § 33-5204(2), the Authorized Chartering Entity has no liability for the acts, omissions, debts, or other obligations of this public charter school, unless specifically agreed to in the charter. The Authorized Chartering Entity expressly rejects any reference in the charter petition, and in any related documents, to any assumption of liability by the Authorized Chartering Entity or assumption by the Authorized Chartering Entity of any obligation to perform any acts or provide any services to or for the benefit of the charter school not otherwise specifically required of the Authorized Chartering Entity by statute or rule of the State Board of Education. Xavier Charter School may sue or be sued, purchase, receive, hold and convey real and personal property for school purposes, and borrow money for such purposes, to the same extent and on the same condition as a public school district. All employees, directors and officers shall enjoy the same immunities as employees, directors and officers of public schools.

Process to ensure parental involvement

The Board shall establish policies to ensure parental involvement. These requirements shall not require the payment of tuition or mandatory service requirements, but will include requirements for parental or legal guardian participation in enrollment procedures, school policy recommendation, and student discipline. XCS is a public school of choice and parents who choose this school for their children are agreeing to abide by the policies of the school.

The Board shall establish or recognize an official parent committee. Members of that committee will be elected annually by parents of students enrolled in the school according to policy to be set by the Board. The parent committee shall be authorized by the Board to

make recommendations regarding any aspect of the school. The parent committee shall be a key element in the creation, implementation, and evaluation of school policy.

Plan for annual financial and programmatic audits

XCS will contract to conduct an annual financial audit as defined in Idaho Code 33-701 subsection 6. The audit will be a full and complete audit conducted yearly by a qualified and independent CPA chosen by the Board and contracted by the school. Appropriate financial statements will be prepared throughout the year and presented at the audit. The audit will be conducted in accordance with generally accepted auditing standards. The audit will be included in an annual report to the authorized chartering entity, after approval by the Board of Directors, and submitted no later than October 15.

During the March or April Board Meeting, XCS's Board of Directors, with assistance from the principal, will appoint a committee consisting of least one board member, the principal, two teachers and two XCS parents who will conduct a programmatic audit each year targeting the parameters of this petition. The audit will be conducted as required by section 33-5205(3)(k), Idaho Code, and the conclusions will be reported to the Authorized Chartering Entity with suggestions for policy and program changes intended to improve the educational services provided to the students.

The programmatic audit report shall also be included in an annual report to the authorized chartering entity and submitted no later than October 15.

TAB 6: EMPLOYEES

Employee qualifications

XCS's staff will meet or exceed qualifications required by state law, including the following:

- All individuals to be employed by Xavier Charter School will possess the personal characteristics, knowledge base and successful experiences necessary for meeting the requirements of this charter.
- Administrative and instructional staff will be certified teachers, or a waiver or another limited certification option will be obtained as provided by rules of the State Board of Education. All instructional staff will be highly qualified as required by the No Child Left Behind Act.
- Xavier Charter School will follow the same personnel practices as are required by the Idaho Code. This would include supervision, evaluation, and dismissal as detailed by the Idaho Code.
- All teachers and administrators will be on a written contract approved by the Superintendent of Public Instruction.
- Those required by Idaho Code 33-130 and others the Board or Administrator require will undergo State of Idaho criminal background checks including the FBI finger-printing checks.
- Teachers will be evaluated according to the procedures outlined in Idaho Code 33-513. The Parent Committee may make recommendations regarding teacher and/or administrator evaluations.
- The school will employ as many teachers as course loads demand and as qualified applicants are available. All staffing decisions will be made with the needs of the students being the highest priority.
- Student/Teacher ratios will be recommended by the Administrator or Parent Committee and subject to Board approval. Student/Teachers ratios established may require the Board to hire additional staff to ensure adequate services or dismiss staff members to ensure fiscal responsibility.
- An experienced Clerk of the Board will be hired to be responsible for payroll, data entry, and records management.

A series of professional and in-house professional development sessions will be conducted to train personnel in the unique aspect of Xavier Charter School. Training may include but is not limited to:

- Instructional Models methodology to insure the consistency of instruction
- The Systems Approach to school climate
- The Math Concept Board
- Language Arts
- Vocabulary
- Expectations Training
- Classroom pacing
- Rules and Reasons – student behavior plans
- Memorization and Dramatization
- Citizen of the Week/Citizen of the Month
- Hall of Fame
- Homework
- Utilizing parent volunteers
- Effective use of educational assistants
- Modeling as a staff
- Capturing teaching time

Health and safety procedures

Xavier Charter School complies with the provisions of Idaho Code with the following health and safety procedures:

1. Passing a criminal history check is required for all employees in compliance with Section 33-130, Idaho Code. This requirement is also a condition of employment.
2. Students are required to show proof of immunization before enrolling at Xavier Charter School. Copies of Immunization records and of birth certificates will be kept on file.
3. All visitors are required to sign in at the office and receive and wear a visitor's pass when visiting the school building.
4. To ensure the safety and health of children and staff, Xavier Charter School shall, at least once a year subject the facilities to an independent inspection for the purposes of determining whether such facilities comply with safety and health standards and other codes and requirements of Idaho law. The safety inspection will be conducted by a professionally qualified independent inspector or done pursuant to Title 39, Chapter 80, Idaho Code. The safety inspection report shall be provided to the Board of Directors and to the authorizing charter entity for review
5. Xavier Charter School shall ensure the safety and health of students and staff by:
 - a. having in place at all times an Emergency Plan that will include evacuation, lock-down, and bomb threat procedures particular to the current facility. XCS will cooperate and coordinate efforts with city, county, and state emergency personnel. XCS shall review its emergency evacuation plan annually to determine whether the procedures in place require modification. The Plan will be posted in the school office as well as in every classroom building in the school. The Plan will be provided to each staff member at the beginning of the school year. In addition, XCS will educate parents and patrons by providing information regarding the Plan in the student handbook or on the XCS's web page.

b. advising all school personnel of routine procedures to follow in handling body fluids. These procedures shall provide simple and effective precautions against transmission of diseases to persons exposed to the blood or body fluids of another. These procedures shall be standard health and safety practices. No distinction shall be made between body fluids from individuals with a known disease or infection and from individuals without symptoms or with an undiagnosed disease. Training and appropriate supplies shall be available to all personnel.

c. recognizing that XCS is responsible for providing first aid or emergency treatment in case of sudden illness or injury to a student, but that further medical attention is the responsibility of the parent or guardian. Each parent or guardian must provide an emergency telephone number where the parent or designee of the parent can be reached. When a student is injured, staff shall provide immediate care and attention until relieved by a superior, a nurse or a doctor. The principal or designated staff member should immediately contact the parent so that the parent can arrange for care or treatment of the injured student. If a child develops symptoms of illness while at school, the responsible school officials shall do the following:

- Isolate the child immediately from other children in a room or area segregated for that purpose.
- Inform the parent or guardian as soon as possible about the illness and request him or her to pick up the child.
- As required by law, report each case of suspected communicable disease the same day by telephone to the local health authority, or as soon as possible thereafter if no contact can be made the same day.

In the event that the parent cannot be reached and in the judgment of the principal or person in charge immediate medical attention is required, the injured student may be taken directly to the hospital and treated by the physician on call. When the parent is located, he/she may elect to continue the treatment or make other arrangements.

d. requiring that school employees be authorized in writing by the school administrator or school principal to be able to:

- assist in the self-administration of any drug that may lawfully be sold over the counter without a prescription to a pupil in compliance with the written instructions, if the pupil's parent or guardian consents in writing.
- assist in the self-administration of a prescription drug to a pupil in compliance with the written instructions of a practitioner, if the pupil's parent or guardian consents in writing.

No employee except a qualified health care professional may administer a drug or prescription drug to a pupil under this policy except in an emergency situation. Diagnosis and treatment of illness and the prescribing of drugs are never the responsibility of a school employee and should not be practiced by any school personnel.

e. maintaining tobacco free buildings and grounds. Use of tobacco will not be allowed in any buildings or grounds nor will employees be allowed to use tobacco while on duty. New employees of the school will be hired with the understanding that they will be directed not to use tobacco in school buildings or grounds. Limitations or prohibitions on tobacco use are applicable to all hours.

All school workplaces are drug- and alcohol-free workplaces. All employees are prohibited from:

- Unlawful manufacture, dispensing, distribution, possession, use, or being under the influence of a controlled substance while on school premises or while performing work for the school;
- Distribution, consumption, use, possession, or being under the influence of alcohol while on school premises or while performing work for the school.

For purposes of this policy, a controlled substance is one which is:

- not legally obtainable;
- being used in a manner different than prescribed;
- legally obtainable, but has not been legally obtained; or
- referenced in federal or state controlled substance acts.

f. Attendance at Xavier Charter School may be denied to any child diagnosed as having a contagious or infectious disease that could make the child's attendance harmful to the welfare of other students. In the instance of diseases causing suppressed immunity, attendance may be denied to a child with suppressed immunity in order to protect the welfare of the child with suppressed immunity when others in the school have an infectious disease which, although not normally life threatening, could be life threatening to the child with suppressed immunity.

g. The School may arrange each year for health services to be provided to all students. Such services may include, but not be limited to:

- Consulting services of a qualified specialist for staff, students, and parents.
- Vision and hearing screening.
- Scoliosis screening.
- Immunizations.

h. Although neither a school (nor a teacher) has a duty to warn of the suicidal tendencies of a student absent the teacher's or school's knowledge of direct evidence of such suicidal tendencies, the School may, in its sole discretion, provide the following programs in order to prevent adolescent suicide by:

- offering and providing help and assistance including early identification;
- support and/or counseling by school support personnel for low-risk students;
- referral to appropriate sources outside the school for high and moderate-risk students;
- attendance to the rights of the student and his/her family; and
- after care support by the school for faculty, staff, and students after a sudden death has occurred.

i. XCS recognizes that the misuse of drugs is a serious problem with legal, physical and social implications for the entire school community. As an educational institution of this community, the school should strive to prevent drug abuse and help drug abusers by educational, rather than punitive means.

For purposes of this policy, "Drugs" shall mean:

- all dangerous controlled substances as so designated and prohibited by Idaho law;
- all chemicals which release toxic vapors;
- all alcoholic beverages;
- any prescription or patent drug, except those for which permission to use in school has been granted pursuant to Board policy;
- "look-alikes";
- anabolic steroids;

- any other illegal substances so designated and prohibited by law.

In accordance with Federal law, the Board of Directors hereby establishes a “Drug-Free School Zone” that extends 1000 feet from the boundary of any school property. The Board prohibits the use, possession, concealment, delivery, or distribution of any drug or any drug-related paraphernalia at any time on school property, within the Drug-Free School Zone, or at any school-related event. Individuals eighteen (18) years of age or older who knowingly deliver or distribute controlled substances so designated and prohibited by Idaho law within the Drug-Free School Zone to another person could be prosecuted to the fullest extent of the law.

6. For minor infractions of school rules or regulations, or for minor misconduct, staff may discipline and/or detain students. Students may be required to attend Saturday detention for up to four (4) hours.

Preceding the assessment of such punishment, the staff member shall inform the student of the nature of the offense charged, and/or the specific conduct that allegedly constitutes the violation.

The student shall be afforded an opportunity to explain or justify his/her actions to the staff member. Parents must be notified prior to a student serving an after-school detention. Students detained for corrective action or punishment shall be under the supervision of the staff member or designee.

Disciplinary measures include, but are not limited to:

- expulsion
- suspension
- detention, including Saturdays
- clean-up duty
- loss of student privileges
- loss of bus privileges
- notification to juvenile authorities and/or police
- restitution for damages to school property

7. To maintain Xavier Charter School climate of respect and high expectation there will be no tolerance of bullying, teasing, hazing, harassment, negative or abusive language, or aggressive physical contact. Any such actions will follow disciplinary procedures.

8. Xavier Charter School is a school of choice and at any time a parent deems the school as unsafe, their child may enroll in the designated school for the student’s place of residence. (NCLB Act 2001 – Title IX Part E Subpart 2, Sec. 9532)

Provision for employee benefits

All employees who currently are members of PERSI will continue their participation. All new employees will become member of PERSI. Employees will contribute at the rate established by PERSI. All employees shall contribute to the Social Security System. Xavier Charter School will make all employer contributions as required by PERSI, and Federal Social Security. XCS will also pay for workers compensation insurance, unemployment insurance and any other payroll obligations of an employer as required by Idaho Code 33-1279. XCS shall also allow for accumulation of sick leave as allowed by Idaho Code 33-1217. The Board will provide health insurance and may establish other benefits.

Transfer rights

The transfer rights of an employee choosing to work at Xavier Charter School and the rights of such employees to return to any non-charter school after employment at Xavier Charter School will be dependent upon the school district from which an employee might transfer from. Xavier Charter School claims no transfer rights.

The board of directors for the charter school shall provide coverage for their employees with the public employee retirement system, federal social security, unemployment insurance and worker's compensation insurance.

Collective bargaining

The staff of XCS shall be considered a separate unit for purposes of collective bargaining.

Employee contracts for teachers and administrators

XCS's staff will meet or exceed qualifications required by state law, including the following:

- All individuals to be employed by Xavier Charter School will possess the personal characteristics, knowledge base and successful experiences necessary for meeting the requirements of this charter.
- Administrative and instructional staff will be certified teachers, or a waiver or another limited certification option will be obtained as provided by rule of the State Board of Education. All instructional staff will be highly qualified as required by the No Child Left Behind Act.
- Xavier Charter School will follow the same personnel practices as are required by the Idaho Code. This would include supervision, evaluation, and dismissal as detailed by the Idaho Code.
- All teachers and administrators will be on a written contract approved by the Superintendent of Public Instruction.
- Those required by Idaho Code 33-130 and others the Board or Administrator require will undergo State of Idaho criminal background checks including the FBI finger-printing checks.
- Teachers will be evaluated according to the procedures outlined in Idaho Code 33-513. The Parent Committee may make recommendations regarding teacher and/or administrator evaluations.
- The school will employ as many teachers as course loads demand and as qualified applicants are available. All staffing decisions will be made with the needs of the students being the highest priority.

- Student/Teacher ratios will be recommended by the Administrator or Parent Committee and subject to Board approval. Student/Teachers rations established may require the Board to hire additional staff to ensure adequate services or dismiss staff members to ensure fiscal responsibility.
- An experienced Clerk of the Board will be hired to be responsible for payroll, data entry, and records management or these duties may be outsourced to a competent agency.

TAB 7: SCHOOL PROCEDURES

Admission procedures

XCS will be open to all children, on a space available basis within each grade level as established by the Board. The school will not discriminate based on race, creed, color, gender, national origin, or ancestry. Special needs of students will not be a factor in admission decisions. The school will not charge tuition for students residing in the state of Idaho, levy taxes or issue bonds. The Board of Directors may choose to charge student fees as allowed by state law.

I. Enrollment Deadline

Xavier Charter School will establish an enrollment deadline for inclusion in the lottery process each year, by which date all requests for admission to attend Xavier for the next school year must be received. Late applications will be accepted for admission for slots remaining open and/or addition to waiting lists at any time.

II. Requests For Admission

A parent, guardian, or other person with legal authority to make decisions regarding school attendance on behalf of a child in Idaho, may make a request in writing for such child to attend Xavier Charter School. In the case of a family with more than one child seeking to attend Xavier Charter School, a single request for admission must be submitted on behalf of all siblings. The request for admission must be submitted to, and received by, Xavier Charter School on or before the enrollment deadline, as set by Xavier Charter School. The request for admission shall contain the name, address, and telephone number of each prospective family. If the initial capacity of Xavier Charter School is insufficient to enroll all prospective students, then an equitable selection process, such as a lottery or other random method, shall be utilized to determine which prospective students will be admitted to Xavier Charter School, as described in IDAPA 08.02.04.203.09. Only those written requests for admission submitted on behalf of prospective students that are received prior to the enrollment deadline established by Xavier will be permitted to participate in the equitable selection process.

III. Admissions Procedures

Xavier Charter School will establish admission preference as authorized by Section 33-5205(3)(k), Idaho Code, for students returning to Xavier, for children of founders, for children of full-time employees, for children who previously attended within the previous 3 years but who withdrew as a result of the relocation of a parent or guardian due to an academic sabbatical, employer, or military transfer or reassignment, and for siblings of students already selected to attend Xavier.

Founders shall be defined as those persons:

- sitting on the Board of Directors from April 2006 to April 2007
- involved in the initial writing of the petition for the charter of Xavier Charter School, by:
 - researching start-up facilities sites
 - budget planning
 - writing policies, and definitions
 - obtaining signatures for the petition
- Members of the initial Curriculum Development Team
- Organizing chairperson for the PFA (Parent-Faculty Association)
- Organizing chairperson for the RMM school fundraising group
- Those individuals who have made a significant contribution to the development and establishment of Xavier Charter School.

IV. Priority of Preferences for Initial Enrollment

Admission preferences for initial enrollment of students for Xavier Charter School will have the selection hierarchy as described in Section 33-5205 of the Idaho Code.

The primary attendance area for Xavier Charter shall the total boundary used by the Twin Falls School District No. 411. All other students may be admitted when openings are available and no student within the primary attendance areas is currently seeking admission. Furthermore, siblings of all students will enjoy the same admission priority regardless of the student's original admission group.

Once enrolled in Xavier Charter School, students will not be required to reapply each year thereafter. Hence, once admitted, a student will not be removed because another student seeks admission.

V. Priority Preferences for Subsequent Enrollment Periods

Xavier Charter School will have admission preferences for enrollment of students in subsequent school years, with the selection hierarchy with respect to such preferences outlined in Section 33-5205 of the Idaho Code. The following children will be included in the second priority group (i.e. "founder's preference) subject to the limitations of that group as allowed by Idaho Code:

- i) Children of full-time employees of Xavier Charter School
- ii) Children who previously attended Xavier Charter School within the previous three (3) school years, but who withdrew as a result of the relocation of a parent or guardian due to an academic sabbatical, employer or military transfer or reassignment.

VI. Proposed Attendance list

Each year Xavier Charter School will maintain a proposed attendance list containing the names of all prospective students on whose behalf a timely request for admission was received, separated by grade level. The proposed attendance list may contain columns next

to the name of each student, in which Xavier will designate admission preferences applicable to each prospective student. The columns will designate “A” for returning preference; “B” for founders preference; “C” for sibling preference, with a corresponding cross-reference to each of the siblings of the prospective student; and “D” for attendance area preference.

VII. Equitable Selection Process

If the initial capacity of Xavier Charter School is insufficient to enroll all prospective students, or if capacity is insufficient to enroll all prospective students in subsequent school years, then Xavier will determine who will be offered admission to Xavier by conducting a fair and equitable lottery selection process.

VIII. Final Selection List

The names of the persons in highest order on the final selection list will have the highest priority for admission to Xavier Charter School in that grade, and will be offered admission to Xavier Charter School in such grade until all seats for that grade are filled.

IX. Notification and Acceptance Process

1. Within seven days after conducting the selection process, Xavier Charter School will send an offer letter to the parent or guardian, who submitted an admission request on behalf of the student, advising the person that the student has been selected for admission to Xavier Charter School. The offer letter must be signed by the student’s parent or guardian, and returned to Xavier by the date designated in the offer letter from Xavier.
2. Within seven days after conducting the selection process, Xavier Charter School will send a letter to the parent or guardian, or other person who has submitted an admission request on behalf of the student, advising them that the perspective 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.
3. If a parent, guardian, or other person receives an offer letter on behalf of a student and declines admission, or fails to sign and return the offer in a timely manner by the date designated in the offer letter, then the name of that student will be stricken from the final selection list, and that seat will be made available to the next eligible student on the final selection list.
4. If a student withdraws from Xavier Charter School 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.

X. Subsequent School Years

The final selection list for a given school year will not roll over to the next subsequent school year. If the capacity of Xavier Charter School is not sufficient to enroll all prospective students during the next subsequent school year, then a new equitable selection process will be conducted by Xavier Charter School for that year.

All prospective students who miss the enrollment deadline will be placed at the bottom of the final selection list in the order in which they are received. They will only receive admittance to XCS when all prospective students on the final selection list have been given the option of acceptance and there are still vacancies in the grade level needed.

XI. Amendments

Xavier Charter School has the right to amend these admission procedures as needed with the approval of the Authorized Chartering Entity. Any changes will conform to the laws of the State of Idaho and applicable rule of the State Board of Education.

Disciplinary procedures

Good behavior and kindness, with an emphasis on politeness, honesty, and integrity, is the number one expectation for Xavier Charter School students. There is little tolerance for disrespect shown to oneself and others at XCS.

Students must be polite to the teachers, administrators, staff, fellow students, and any visitors. The same is required of those employed by Xavier Charter School. Teachers, administrators, and staff will be respectful of students, and be an example of correct and proper behavior. Because the number one goal at XCS is to have a safe and orderly school that provides an atmosphere that is conducive to learning, there is a focus on positive behavior. Any student faced with a disciplinary action will be granted due process pursuant to Idaho Code. In the case of suspension or expulsion, a student and parent/guardian will be given written notice of the charges and an opportunity to present the student's version of the incident. Whenever a student is faced with disciplinary actions the parents will be notified in a timely manner.

Xavier Charter School will produce a student handbook that will follow state laws and due process that outlines a Code of Conduct, with expectations and consequences. This handbook will be submitted to the authorizing entity before the start of the school year. A preliminary copy of the Student Handbook can be found in the appendix. Steps to insure correct behavior will include, but are not limited to the following:

1. Written or verbal Teacher notification to the parent/guardian of incidence or infraction.
2. Principal intervention
3. Three day suspension. A Parent/guardian conference with student and principal to be held before re-admittance.
4. Five day suspension. A parent/guardian conference with student and the Board of Directors to be held before re-admittance.
5. Expulsion until the next calendar break/semester/rest of year. A hearing within five school days, whenever possible with the Board of Directors will be held. The Board

of Directors has the right to permanently expel students for disciplinary or attendance reasons.

Major Discipline Problems

Major discipline problems will be referred to the principal or designee for the appropriate consequences that may include suspension or referral to the Board of Directors or designee for expulsion. Written notice to the parent or guardian of the student shall state the grounds for the denial of enrollment and will indicate a time and place where parents may appear to contest the action of the Board of Directors. Written notice will only be given in the event the student is expelled or denied enrollment.

A student may be automatically suspended (step three of the above procedure) under circumstances that: endanger student lives, involve drug/alcohol violations, involve weapons violations, and/or others as designated by the Board of Directors. Policies addressing drugs/alcohol and weapons can be found in the appendix. An informal hearing will be held prior to the suspension as required by Section 33-205, Idaho Code.

Temporary Suspension

Students who cannot abide by the school regulations and policies of Xavier Charter School and who disrupt the educational atmosphere or interfere with the educational process of the school may be temporarily suspended from classroom instruction and/or school for a time, not to exceed five (5) days by the principal or designee; and in the event the Board of Directors determines that it would be detrimental to the student and/or other students' health, welfare, or safety to return the student to school, the Board may extend the temporary suspension for an additional five (5) school days.

Expulsion

The Board of Directors may expel students who refuse or consistently fail to abide by school regulations and policies. The student will be granted a full and fair hearing prior to the decision for expulsion to present information concerning the incident and/or actions of the student. The decision of the Board is final. The recommendation for expulsion will be reported to the principal or designee on a Recommendation Expulsion Form.

Reenrollment to School Following Expulsion

A student who has been expelled may appeal to the Board of Directors to hear a petition for reenrollment in school. Xavier Charter School's Board of Directors shall have the right to deny reenrollment for disciplinary or attendance reasons.

Disciplinary Procedures for Special Education Students

Xavier Charter School adopts and complies with the current Idaho Special Education Manual from the State Department of Education and will follow the procedures outlined in Chapter 7, Section 13: Student Discipline. Students with disabilities are entitled to all of the same due process rights in the area of discipline as students without disabilities. In addition, there are additional safeguards that will be observed that insure their right to FAPE.

Public charter school attendance alternatives

Because Xavier Charter School 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 area. Students located within the attendance area of the Charter School would have the option to enroll in existing public schools presently serving the area. No student will be required to attend Xavier Charter School.

Process for public notification of enrollment opportunities

According to Idaho Code, all advertising and promotion processes for XCS will include the dissemination of enrollment information, in English and possibly other language(s) taking into consideration the demographics of the area, at least three (3) months in advance of the enrollment deadline established by the public charter school each year, to be posted in highly visible and prominent locations within the area of attendance of the public charter school. In addition, XCS shall ensure that such process includes the dissemination of press release and/or public service announcements, to media outlets that broadcast within, and/or disseminate printed publications within, the area of attendance of the public charter school; XCS will ensure that such announcements are broadcast and/or published by such media outlets on not less than three (3) occasions, beginning not later than fourteen (14) days prior to the enrollment deadline each year. Finally, such enrollment information shall advise that all prospective students will be given the opportunity to enroll in the public charter school, regardless of race, color, national or ethnic origin, religion, gender, social or economic status, or special needs.

Advertising for Xavier Charter School may actively recruit students for enrollment using, but not limited to, the following methods:

- Advertising with public schools located within the target area using flyers upon administrative approval.
- Xavier Charter School website (available within four weeks of charter approval) that will introduce information about the school.
- Brochures promoting the curriculum and methods used at Xavier Charter School.
- Public informational meetings about Xavier Charter School held in accordance with Section 67-2340 of the Idaho Code

Other methods that may include: news releases, radio, television, newspapers, news conferences, and newsletters.

Plan for the denial of school attendance

Xavier Charter School is a public school, open to all children based on the provisions provided within this petition. Strict adherence to Xavier's Code of Conduct for Students as described in the Student Handbook is required for optimum learning to be achieved. New/incoming students and parents will 'sign off' on accepting the conditions and consequences of Xavier's Code of Conduct. Students who show signs of truancy, incorrigibility, disruptive to the learning process, health or safety risk will follow the provisions set forth under Disciplinary Procedures in this petition.

Except in extenuating circumstances as presented to the Board of Directors, a student expelled from another school or district in this state or any other state shall be denied the right to enroll in Xavier Charter School. Written notice to the parent or guardian of the

student shall state the grounds for the denial of enrollment and will indicate a time and place where parents may appear to contest the action of the Board of Directors.

Student handbook and parental accesses

Upon approval of a charter, the Board of Directors will appoint a committee to develop a student handbook that will reflect the vision and purpose of Xavier and that will be in compliance with the Xavier School Board Policies and the Law of the State of Idaho. The student handbook will be available in hard copy and on the Xavier web site. All new students will receive a copy of the Student Handbook upon enrollment. A copy of the Student Handbook can be found in the appendix.

TAB 8: BUSINESS PLAN

Business plan

Description

An organizing group of founders have written the initial petition for a Charter for Xavier Charter School and have recruited and appointed an initial Board of Directors. The founders will continue to be a data gathering entity, recommending curriculum, teaching instruction, professional development and/or daily operations that will reflect the vision, purpose and mission of Xavier Charter School to the Xavier Board of Directors. Additional Founding Members may be recruited prior to the official opening of the first school year in order to accomplish the goals of Xavier Charter School. This group will remain as advisors to the Board of Directors. The number of Founding Families is anticipated not to exceed ten families.

Xavier Charter School, Inc. is a non-profit organization organized and managed under the Idaho Nonprofit Corporation Act. The Corporation is organized exclusively for educational purposes within the meaning Section 501(c)(3) of the Internal Revenue Code of 1986, or the corresponding provisions of any future federal income tax code.

Marketing Plan

According to Idaho Code, all advertising and promotion processes for XCS will include the dissemination of enrollment information, in both English and Spanish, at least three (3) months in advance of the enrollment deadline established by the public charter school each year, to be posted in highly visible and prominent locations within the area of attendance of the public charter school. In addition, XCS shall ensure that such process includes the dissemination of press release and/or public service announcements, to media outlets that broadcast within, and/or disseminate printed publications within, the area of attendance of the public charter school; XCS will ensure that such announcements are broadcast and/or published by such media outlets on not less than three (3) occasions, beginning not later than fourteen (14) days prior to the enrollment deadline each year. Finally, such enrollment information shall advise that all prospective students will be given the opportunity to enroll in the public charter school, regardless of race, color, national or ethnic origin, religion, gender, social or economic status, or special needs.

Advertising for Xavier Charter School may actively recruit students for enrollment using, but not limited to, the following methods:

- Advertising with public schools located within the target area using flyers upon administrative approval.
- Xavier Charter School website (available within four weeks of charter approval) that will introduce information about the school.
- Brochures promoting the curriculum and methods used at Xavier Charter School.
- Public informational meetings about Xavier Charter School held in accordance with Idaho Statute §67-23.

Other methods that may include: news releases, radio, television, newspapers, news conferences, and newsletters.

Facility

Upon approval of our charter, Xavier Board of Directors will appoint a Facilities Committee to investigate the best possible site for purchase and/or lease. We will consider temporary facilities only if the facility passes inspection to ensure compliance with state and federal guidelines according to Idaho Code and the Americans with Disabilities Act

Operations

Following the outline detailed under Tab 2, organization of Xavier Charter school will generally follow the model of traditional single-grade classrooms starting with grades K – 8, and then, upon approval from the Idaho Charter School Commission, adding 9th grade in the year 2008-2009. Further expansion for grades 10 – 12, and/or increasing the number of students per grade in subsequent years will be dependent upon the approval from the Xavier Charter School Board of Directors. The Principal will determine the day-to-day operations of the school including but not limited to the school calendar, schedule, and hours of operation in accordance to State required hours of attendance and Board of Director approval.

Administrative services will be provided by the Principal, augmented by other contracted services as needed.

Board Policy

Upon approval of a charter the Board of Directors will be charged with developing *A School Board Policy Manual* modeled after the Idaho School Board Association Board Policy Manual. This manual will include policies including but not limited to: Instruction, Students, Community Relations, Personnel, Administration, Financial Management, Non-instructional Operations, School Facilities, and Philosophy. Board Policy will be made available to the public either as a hard or electronic copy.

Budget

The budget for Xavier Charter School, 1) will be prepared in compliance with section 33-801, Idaho Code, 2) will be presented at a public hearing in June of the year the school will open, and 3) will be delivered to the State Department of Education as required on or before July 15 prior to the start of the school year. The budget will be prepared, approved and filed using the Idaho Financial Accounting Reporting Management System (IFARMS) format. Funding sources will include state allocation per pupil, federal start-up grants, private grants, business partnerships, and donations.

Working Capital and Assets

Xavier Charter School does not expect to have working capital and assets until after the Charter is approved.

Fundraising

A committee will be established to conduct fundraising efforts to generate capital to supplement the per-pupil allocations.

Purchasing Process

Xavier Charter School's Principal will determine procedures for procuring goods and services, with approval of the Board of Directors.

Payroll Processing

Xavier Charter School intends to hire a Clerk of the Board or to outsource its payroll processing as determined by the Principal, with approval of the Board of Directors.

Financial Management

The accounting records will be kept in accordance with generally accepted accounting principles. Xavier Charter School will follow the requirements set forth by the Idaho State Department of Education, including formats for account numbering. The Board of Directors of Xavier Charter School will be responsible for financial management.

Bonding

Documentation of bonding of all personnel involved in the school's financial operations will be provided prior to the opening of the school.

Class Size

Xavier Charter School is a K-12 school. The capacity of the school is to have two classrooms per grade level in grades K-6.

The goal of Xavier Charter School is to have a small school atmosphere. The classroom size is larger than signified by regular school unit divisors in Idaho Code. The methods we use benefit relatively large classrooms. The effectiveness of our character education plan makes it possible to turn what is often called a negative (i.e. large, hard to control classrooms) into a more positive, energetic and vibrant place in which to learn.

Enrollment caps will be established as:

- Kindergarten: 24 students per classroom, 2 classes per grade
- 1st grade – 3rd grade: 28 students per classroom, 2 classes per grade
- 4th grade – 6th grade: 33 students per classroom, 2 classes per grade
- 7th grade – 12th grade: 66 students per grade

Transportation services

Transportation, if required, will be provided as indicated by the enrollment of students and location of final site. A contract may be negotiated with the local bus service and/or the local school district.

Xavier Charter School will also provide a means by which parents may connect with each other for the purpose of carpooling to and from the school

Parents will also have the option of using Twin Falls Trans IV Transit system. Parents will need to contact Trans IV for routes and pricing.

School Lunch Program

Initially, parents will be responsible to ensure students bring their lunch with them to school. The estimated cost to the school for this program will be \$0.

When it is determined that there are sufficient funds, facility and resources Xavier Charter School will begin offering hot food services and will follow the guidelines listed by the

National School Lunch Program. Free and reduced lunch forms will be provided to all students. Until a facility is available, alternate sources to offer lunch will be explored.

Determining Eligibility for Free and Reduced Price Meals

All schools participating in the NSLP must make free and reduced price meals available to eligible students. Each School Food Authority participating in the NSLP must have an approved free and reduced price policy statement on file at the State Agency. If a School Food Authority is just starting in participation in the NSLP it must file its policy statement for approval by the State Agency. This policy statement then becomes a permanent document, subject to any amendments whenever the School Food Agency makes a significant change in its free and reduced price policy.

TAB 10: BUSINESS PRACTICES

Business arrangements

Public Access

Xavier Charter School's policies regarding the ways in which the public may have access to the school's students, staff, and facilities will comply with all aspects of the Idaho Public Records Law (Idaho Code 9-337 – 9-350). The Charter School will comply with Idaho statutes relating to public records and public meetings, as indicated in the Bylaws. We will comply with the Idaho Open Meeting Law (Idaho Code 67-2340-67-2347).

Complaint Process

Xavier Charter School's protocol for a complaint process for parents/guardians and the public are as follows, with the ultimate authority residing with the Board of Directors of Xavier Charter School;

1. Have pertinent parties meet and try to resolve the issue.
2. If no resolution can be found, the Principal will arbitrate and attempt to find a resolution.
3. Ultimately, the issue will be brought before the Board of Directors. The decision of the Board of Directors will be final.

School Records

Xavier Charter School's Principal will determine how the school will maintain school records and required information, consistent with state and Federal laws/statutes. Records of students transferring from Xavier will be forwarded to the new school upon request of the school or parents. Records of students transferring to Xavier will be requested of the previous school of attendance.

Inspection Reports

Xavier Charter School will provide 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. The Charter School will provide initial and ongoing certifications of the facilities for health, safety, and fire compliance to the district and other entities as required.

State Compliance

Xavier Charter School will comply with the State Board of Education and Superintendent for Public Instruction as they relate to Charter Schools and all state statutes applying to public education unless exempt through charter legislation.

Right to Evaluate Contract Compliance

The Public Charter School Commission shall retain the right at any time to evaluate the degree to which Xavier Charter School is meeting the terms of the charter contract. The Board of Directors or designee may choose to have a district representative(s) or an independent evaluator(s):

1. visit the Charter School;
2. review the Charter School's records and data;
3. directly survey the Charter School's parents/guardians, students, or employees;
4. audit the books of the Charter School;
5. pursue other reasonable means of determining accountability for the Charter School contract.

Amending the Contract

A material revision of the terms of the Charter School contract requires the approval of the Idaho Public Charter School Commission and the Board of Directors.

Plan for termination

It is the responsibility of the board of directors of Xavier Charter School to maintain communications with the Authorized Chartering Entity regarding any changes, problems, or difficulties in the operations of the school.

The Authorized Chartering Entity and Xavier Charter School 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 and the Authorized Chartering Entity for notice of defect and submission of a corrective action plan.

Copies of any complaints filed against Xavier, including lawsuits, shall be provided to the Authorized Chartering Entity within five (5) business days of receipt by Xavier.

Dissolution of the Xavier Charter School Corporation will be conducted by Xavier’s Board of Directors will follow the Xavier Charter School Amended Articles of Incorporation as stated here: “Upon the dissolution of the Corporation the assets of the Corporation shall be distributed to creditors pursuant to Sections 30-3-114 and 30-3-115 of the Idaho Code. Upon winding up and dissolution of the corporation, and paying or adequately providing for the debts and obligations of the corporation, the remaining assets shall be distributed to the Idaho Public Charter School Commission, Boise, Idaho.”

In the event of dissolution of the school, all parents/guardians will be notified in writing. Xavier Charter School will offer advice in the placing of students in alternate education settings. It will be the responsibility of the President of the Board of Directors to ensure that all student school records will be forwarded to the local school district or to the school where the student will be attending.

Internet Policy

XCS shall adopt a Policy of Internet Safety for minors that include the operation of a technology protection measure with respect to any of its computers with Internet access and that protects against access through such computers to visual depictions that are obscene, child pornography, or other content harmful to minors in compliance with the Children’s Internet Protection Act. An example of an internet policy can be found in the Appendix.

Budget

Revenue

State Allowance will be calculated using the forms provided by the State Department of Education in the following manner:

2007-2008	244 Students Unit Calculator of 13.7 0.5 FTE Kindergarten 8.0 FTE Classroom teachers grades 1-8 1.5 FTE Special Education (as needed, based on student population) 0.5 FTE Music Teacher 0.5 FTE Foreign Language Teacher 1.0 FTE Administrator 1.0 FTE Administrator Assistant 5.5 FTE Classroom Aids
2008-2009	270 Students Unit Calculator of 15.9 0.5 FTE Kindergarten 10.0 FTE Classroom teachers grades 1-9 1.5 FTE Special Education (as needed, based on student population) 0.5 FTE Music Teacher 0.5 FTE Foreign Language Teacher 1.0 FTE Administrator 1.0 FTE Administrator Assistant 6.0 FTE Classroom Aids
2009-2010	295 Students Unit Calculator of 17.9 0.5 FTE Kindergarten 11.0 FTE Classroom teachers grades 1-10 2.0 FTE Special Education (as needed, based on student population) 0.5 FTE Music Teacher 0.5 FTE Foreign Language Teacher 1.0 FTE Administrator 1.0 FTE Administrator Assistant 6.0 FTE Classroom Aids

- Federal Startup Grant will be used as revenue only in year 2007-2008.
- A 4% per year salary increase is proposed for years two and three.
- Transportation costs and reimbursements are based on Twin Falls School District 411 Funding Cap06 document which indicates that 21% of students were transported at a cost of \$820 per student. We have included an 8% increase in transportation costs per year per student.
- Fundraising amounts are based on specific prior fundraising experience of three of the founders. Fundraising will follow a two tier model, the first in the form of a jog-a-long and the second is a model based on the Raising More Money model by Terry Axelrod. Experiences from two similarly-sized schools to XCS are:
 - School “A” consistently receiving an average of \$56,000 per year in donations over the past 10 years from the jog-a-long event.

- School “B” receiving \$27,500 in donations in the introductory year, and \$35,735 in donations the second year of the jog-a-long event.
 - School “B” receiving \$45,000 in private donations using the Raising More Money model during the introductory year of the model.
- Legal advice has been donated for years one through three by Bob Jackson (see appendix for reference letter).
- We are submitting two proposed budgets, A and B. The budgets differences are found in Facilities Expense (300) due to the two proposed facilities and in Revenue because of a startup loan for facility A. Documentation for each facility can be found in the Appendix.

Budget A

Leasing a 12,325 sq. ft. facility from Steve DiLucca from Westerra Realty Group. The building located at 771 College Ave, Lot 1 Block 4, Breckenridge Farms Phase V Subdivision in Twin Falls, Idaho, zoned C-1 which is suitable for a school. This building will be vacated in one month, and we have the first choice for the lease. The owners are interested in a two to three year lease, with the lease starting January 1, 2007. Jim Evans of D.L. Evans Bank has been working with us with various loan options, one being a startup loan to cover initial lease expense for the first 6 months, January to June, 2007. Leasing rate is \$12/square foot for the 12,325 square foot building with a 3% increase per year. We have included a recommended \$3/square foot that would cover insurance, utilities, taxes, phones, and ground care; the owner pays for the water. A copy of our intention to lease is included in the appendix, as is the remodeling estimation documentation.

This option is by far our preferred choice of the two properties. This modern building is less than 10 years old, has adequate room for classrooms, a large fenced in grassy area around two sides of the building, plenty of parking spaces, handicap assessable, a place for a bus turn-around and is available immediately. The only negative is that we would need to begin the lease at the first of the year, necessitating the startup loan from D.L. Evans. But, we would be able to use the facility to hold public meetings for our school, and have a place to have “office hours” for inquiries. Leasing for several years will also give us time to grow and the time to deliberate and look for a permanent home for our school

Budget A

Students			244	270	295
Revenue			2007/2008	2008/2009	2009/2010
	State Allowance				
		Salary Allowance	\$617,660.00	751,215.00	811,788.00
		Benefits Allowance	\$102,811.00	122,448.00	129,465.00
		Entitlement	\$348,473.00	362,411.92	376,908.40
	Title VIB		\$5,000.00	\$5,000.00	\$5,000.00
	Fundraising		\$40,000.00	\$40,000.00	\$40,000.00
	Federal Startup Grant		\$150,000.00		
	DL Evans Startup Loan		\$180,000.00		
	Transportation reimbursement		\$35,547.00	\$42,907.32	\$50,404.92
		Total Revenue	\$1,443,944.00	\$1,323,982.24	\$1,413,566.32
Expenses					
100	Salaries				
		Administration	\$80,000.00	83,200.00	86,528.00
		Certified	\$378,750.00	465,520.00	537,852.00
		Classified	\$94,905.00	107,674.00	111,981.00
		Total Salaries	\$553,655.00	\$656,394.00	\$736,361.00
200	Employee Benefits				
		PERSI, FICA, MC, Sick/Retirement, etc.	\$111,061.00	128,518.00	137,087.00
		Benefit Adjustment	\$5,000.00	5,500.00	6,000.00
		Medical/Dental/Vision	\$75,000.00	82,000.00	89,000.00
		Total Benefits	\$191,061.00	\$216,018.00	\$232,087.00
300	Purchased Services				
	Services, Contract, and Programs				
		Legal (donated first year)	\$2,500.00	2,600.00	2,704.00
		Audit Fee	\$5,500.00	5,720.00	5,948.80
		Staff Development	\$15,000.00	15,000.00	15,000.00
		Legal Publications/Advertisement	\$2,000.00	\$2,000.00	\$2,000.00
		Student Testing	\$2,000.00	\$2,000.00	\$2,000.00
		Liability Insurance	\$13,000.00	13,520.00	14,060.80
		Fire & Theft Insurance	\$3,000.00	3,120.00	3,244.80
		Special Education	\$20,000.00	20,800.00	21,632.00
		Substitute Teachers	\$2,000.00	2,000.00	2,000.00
		Transportation	\$41,820.00	50,479.20	59,299.90

Tab 10: Business Practices

		Total Services and Contacts	\$106,820.00	\$117,239.20	\$127,890.30
	Facilities				
		Facility Lease	\$147,900.00	\$153,816.00	\$159,968.64
		Loan Payment	\$185,300.00		
		Permits & Fees	\$500.00		
		Remodel Costs	\$38,000.00		
		\$3/sq ft for Utilities, taxes, Insurance, phones, ground care	\$37,500.00	39,500.00	41,500.00
		Total Facilities	\$409,200.00	\$153,816.00	\$201,468.64
400	Supplies & Materials				
		Text Books	\$25,000.00	15,000.00	15,000.00
		School Supplies	\$8,000.00	15,000.00	15,000.00
		Custodial Supplies	\$4,000.00	4,160.00	4,326.40
		Total Supplies & Materials	\$37,000.00	\$34,160.00	\$34,326.40
500	Capital Objects				
		Furniture	\$30,000.00	7,000.00	7,000.00
		School Equipment	\$5,000.00	5,000.00	5,000.00
		Music Lab	\$17,000.00	200.00	200.00
		Science Lab	\$5,000.00	1,500.00	2,000.00
		Computer & Tech Lab	\$20,000.00	1,000.00	1,000.00
		Technical AV	\$3,000.00	500.00	500.00
		Playground Equipment	\$6,000.00	2,000.00	2,000.00
		Phone System	\$3,000.00	0.00	0.00
		Total Capital Objects	\$89,000.00	\$17,200.00	\$17,700.00
		Total Expenses	\$1,386,736.00	\$1,194,827.20	\$1,349,833.34
		Reserve/(Deficit)	\$57,208.00	\$129,155.04	\$63,732.98

Sufficiency Review

July 10, 2006

Cindy Fulcher
Xavier Charter School
PO Box 5861
Twin Falls, ID 83303

Dear Ms. Fulcher:

Enclosed is the State Department of Education's review of your petition to establish Xavier Charter School. The findings of the State Department of Education are listed in the attached document. Items listed with no recommendations are sufficiently described in the petition. Other items note recommendations that should be addressed in the petition. Please communicate these findings and any needed or completed changes in the petition to founders, any committees helping to initiate the charter school, and to the authorizing charter entity. If you have any questions regarding these findings, please contact me at (208) 332-6955.

The State Superintendent of Public Instruction has the responsibility to carry out policies, procedures and duties authorized by law or established by the State Board of Education for all secondary and elementary school matters (Idaho Code section 33-125). This petition review was to ensure that the petition was aligned with the laws governing public schools.

After your petition has been approved, please send a copy to each of the following:

Office of the State Board of Education	State Department of Education
Karen Echeverria	Stephanie Clark
P.O. Box 83720	P.O. Box 83720
Boise, Idaho 83720-0037	Boise, Idaho 83720-0027

Please note the authorization and limitations section of Idaho Code Section 33-5203, and limitations on new public charter schools described at IDAPA 08.02.04.100 in the new charter school administrative rules.

Sincerely,

Stephanie Kay Clark, School Choice Coordinator
Bureau of Educational Improvement

Enclosure: Idaho State Department of Education Sufficiency Review

**Sufficiency Review by the Idaho Department of Education
Elements Required of a Petition to Establish a Charter School**

Pursuant to the new public charter school rules adopted by the State Board of Education (3-10-05), petitioners are required to submit their proposed draft petition to establish a charter school to the State Department of Education for the purpose of determining whether the petition complies with statutory requirements. This must occur prior to the petition being submitted to an authorized chartering entity (IDAPA 08.02.04. 200.03).

After a sufficiency review has been conducted by the State Department of Education, the petition may be submitted to an authorized chartering entity with a copy of the review.

Upon approval by an authorized chartering entity, a Tracking Form must be completed, signed, and attached to the approved charter and a copy submitted to the State Board of Education and the State Department of Education.

Charter School Name:

Xavier Charter School

Authorized Chartering Entity:

Twin Falls School District #411

Date submitted to State Department of Education for Sufficiency Review:

June 9, 2006

Date of Review:

July 10, 2006

Items with no recommendations are sufficiently described in the petition.

Required Elements of 33-5205

Idaho Code

Title 33

Chapter 52

Describe the school's educational program and how it will identify:

- a) What it means to be an "educated person" in the 21st century; and
- b) How learning best occurs.

5205 (3) (a)

Comments by SDE

No comment.

Identify the school's goals and how all Educational Thoroughness Standards (as defined in I.C. § 33-1612, Idaho Code) shall be fulfilled.

5205 (3) (a)

Comments by SDE

Finding: Curricula in reading and language arts, do not meet NCLB standards for scientific, research based interventions, particularly for students with disabilities.

Recommendation: Include the scientific, research-based interventions the school will be providing.

Required Elements of 33-5205

Idaho Code

Title 33

Chapter 52

Identify measurable student educational standards that describe the extent to which all students of the charter school will demonstrate they have attained the skills and knowledge specified as goals in the school's educational program.

5205 (3) (b)

Comments by SDE

Finding: On page 15, objectives are not necessarily measurable.

Recommendation: Write the objectives so that someone would be able to definitively establish that they have been achieved.

Identify the **method by which student progress is to be measured** in meeting the school's student educational standards.

5205 (3) (c)

Comments by SDE

Finding: Petition states that by third grade, students will read at grade level and will be computing math at grade level by grade 4. However, it does not mention what will be used to determine these.

Recommendation: State the measurements that will be used.

Describe how the school's students **will be tested with the same standardized tests as other Idaho public school students.**

5205 (3) (d)

Comments by SDE

Finding: Page 17 - scores on the statewide tests are not reported or ranked in quartiles.

Recommendation: Should either use another measurement or state who will be doing the ranking in quartiles for the charter school.

Finding: Page 17, the grades of the assessments are not correct for the DWA and DMA.

Recommendation: It should be 5, 7, and 9 for the DWA, and the DMA should be 4, 6, and 8.

Finding: The TAP test is a norm referenced test that is no longer used in the state system.

Recommendation: If it is going to be used as an additional check for the school, it should indicate which form of the test will be used.

Finding: Bottom of page 17, last sentence under Special Note refers to Liberty Charter.

Recommendation: Ensure that all references to Liberty that should be Xavier are corrected.

Describe how the school will ensure that it **shall be state accredited** as provided by rule of the Idaho State Board of Education.

5205 (3) (e)

5210 (4) (b)

2 of 9 7/10/2006 Charter Petition Sufficiency Checklist

Required Elements of 33-5205

Idaho Code

Title 33

Chapter 52

Comments by SDE

No Finding.

Recommendation: The state is implementing a new accreditation process. It is recommended that PSC staff attend the fall training on accreditation and learn the new process for submitting the accreditation reports through the on-line continuous improvement planning tool that will be required.

Describe the **governance structure of the school**, including the person or entity that shall be legally accountable for the operation of the school and the process the school will follow to ensure parental involvement.

5205 (3) (f)

Comments by SDE

Finding: On page 19 and other pages, the petition mentions the Commission as the authorizer. This is not yet the case.

Recommendation: Instead of a specific name for the authorizer, simply refer to them as the authorized chartering entity.

Finding: The petition states (p 18, paragraph 4) that the “governing body consists of directors elected or appointed as set forth in corporate bylaws.” The Articles of Incorporation (Appendix I) state “members shall elect Directors for a term of one year. (Vacancies during the terms shall be filled by appointment by a majority of the remaining Directors.)” The petition later states (p 18, paragraph 6) that “During the initial year of operation, the Board shall be comprised at least of the following directors nominated and appointed by the governing body...” It then states in paragraph 7 that the “Board of Directors will be determined through elections...” This section is confusing and appears that the “governing body” that “consists of directors” will appoint or elect themselves to the Board of Directors.

Recommendation: Clarification should be given.

Describe the **qualifications to be met by individuals employed** by the school.

Instructional staff must be certified teachers pursuant to rule of the State board of education.

5204A (1)

5205 (3) (g)

5210 (4) (a)

Comments by SDE

No comment.

Describe the procedures the school will follow to **ensure the health and safety of students and staff.**

5205 (3) (h)

Required Elements of 33-5205

Idaho Code

Title 33

Chapter 52

Comments by SDE

Finding: The Charter has addressed certain health and safety policies and procedures for students and staff. However the following are areas not mentioned:

1. Administrative Rules of the State Board of Education: IDAPA 08.02.03

Thoroughness – Safe

Environment and Discipline Policy and procedure encompassing the following

. School Climate . Discipline

. Student Health . Violence Prevention

. Suicide Prevention . Student Harassment

. Drug-Free School Zones

2. No Child Left Behind Act 2001 – “Title IX, Part E. Subpart 2, Sec. 9532. Unsafe school Choice Option.” Idaho has a statewide policy addressing - “Unsafe school choice option policy.”

3. Contagious or Infectious Diseases

Recommendation: These are required policies and procedures for all schools.

Describe the school’s **plan for denial of attendance** to any student who is or has been:

An habitual truant,

Incorrigible,
Deemed by the board of directors to be disruptive of school discipline or instructional effectiveness,
Detrimental to the health and safety of the other students, or Expelled from any other school district or state.

5205 (3) (i)

Comments by SDE

Finding: On page 23, the petition states that a student expelled from another district shall be denied the right to enroll in Xavier Charter School for the period of time that the student had been expelled from the other district.

Recommendation: Expulsions do not have a time period; they are considered permanent in the district imposing the disciplinary actions.

Finding: The petition states on page 22 that strict adherence to the school’s code of conduct is required, and that new and incoming students will be evaluated during a four (4) week probationary period.

Should those students “show signs” of truancy, incorrigibility, disruptive to the learning process, health or safety risk, they will be subject to the disciplinary provisions of Element 14 of the petition. Element 14 emphasizes that students must demonstrate kindness, politeness, honesty, integrity, and respect, and states that the number one school goal is to provide an atmosphere that is conducive to learning. Element 14 states that students facing disciplinary action will be granted due process pursuant to Idaho Code § 33-205, and sets forth several examples of behavior that could lead to the expulsion of a student.

Recommendation: A public charter school must follow the general education laws of the State of Idaho.

Idaho Code §33-5210(2). Idaho Code § 33-205 specifically sets forth the basis upon which a public school may deny school attendance to a student. Such denial may occur if the pupil is habitually truant, incorrigible, or the student’s conduct is continuously disruptive of school discipline or the school’s instructional effectiveness, or if the student’s presence is detrimental to the health and safety of other students. “Incorrigible” means incapable of being reformed, or difficult or impossible to control.

Xavier Charter School must follow the parameters set forth in Idaho Code § 33-205 in order to deny attendance to a student. The statute makes no provision for placing students in a public school on “probation.” Regardless of the behavior standards that Xavier may wish to enforce, students must fall within the rubric of Idaho Code § 33-205 before they can be denied attendance.

Describe **admission procedures** will comply with I.C. § 33-5205(j), to include a provision for **over-enrollment**, and equitable selection processes for the initial year, as well as subsequent years of operation. **Include enrollment capacity of the charter school.**

5205 (3)(j)

Comments by SDE

Finding: Although the petition states that founders will be given preference, no detailed definition of what the school considers a founder is included.

Recommendation: To help keep clarity in enrollment issues later, it is best to define what constitutes a founder in the petition.

Finding: The petition indicates that the school will follow Idaho Code § 33-5205(i).

Recommendation: The correct cite should be Idaho Code § 33-5205(j).

Finding: Although the petition discusses anticipated enrollment on page 39, it does not state its enrollment capacity.

Recommendation: Enrollment capacity needs to be included.

Describe how waiting lists will be developed and renewed annually. 5205 (3)(j)

Comments by SDE

Finding: Petition specifically spells out methodology to be used to develop the waiting list.

Recommendation: The exact method should not be mentioned, such as index cards will be used, as this is part of the charter contract and will thus make it the only method allowed without a charter amendment.

Describe the manner in which an annual audit of financial and programmatic operations will be conducted.

5205 (3) (k)

5206 (7)

5210 (3)

Comments by SDE

Finding: The petition does not describe how a programmatic audit will take place. The petition references Idaho Code § 33-5205(3)(i) in relation to a programmatic audit, but that code section discusses denial of attendance.

Recommendation: Subsection (k) mentions the need to conduct a programmatic audit, but does not describe how one is to be accomplished. Petition needs to describe how a programmatic audit will take place.

Required Elements of 33-5205

Idaho Code

Title 33

Chapter 52

Describe the school's procedures for suspension, expulsion and re-enrollment of students, as well as procedures required by I.C. § 33-210.

5205 (3) (l)

Comments by SDE

Finding: The procedures are found at pages 27 through 29.

Recommendation: The school is cautioned that Idaho Code § 33-205 must be followed in denying attendance to any student through suspension or expulsion.

Include a provision that ensures all staff members will be enrolled in and covered by all of the following:

Public Employee Retirement System (PERSI)

Federal Social Security

Unemployment Insurance/Worker's Compensation Insurance.

5205 (3) (m)

Comments by SDE

Finding: In their petition they state that all employees who are currently members of PERSI will continue their participation.

Recommendation: All employees are required to be covered by PERSI. This should be restated so that it is clear that not only current members but those new to the system will also contribute.

Describe the public school attendance alternative for students residing within the school district who choose not to attend the public charter school.

5205 (3) (n)

Comments by SDE

No comment.

Describe **the transfer rights of any employee** choosing to work in a charter school **that is approved by the board of trustees of a school district**, and the right of this employee to return to any non-charter school in the **same** district.

5205 (3) (o)

33-1217

Comments by SDE

No comment.

Include a provision that ensures that the **staff** of the public charter school shall be **considered a separate unit for purposes of collective bargaining**.

5205 (3) (p)

Comments by SDE

No comment.

Describe the manner by which **special education services will be provided to students who are eligible for such services pursuant to the federal Individuals with Disabilities Education Act, to include a disciplinary procedure for such students**.

5205 (3) (q)

Required Elements of 33-5205

Idaho Code

Title 33

Chapter 52

Comments by SDE

Overall Recommendation: XCS must adopt the Idaho Special Education Manual as policy or develop their own set of policies that must be submitted to the State Department of Education for review and approval.

Finding: The charter petition states that students with disabilities may be exempted from academic proficiency requirements for entrance, but enrollment procedures do not state that academic proficiency is a condition for entrance.

Recommendation: There can not be academic proficiency requirements for entrance regardless if the student has a disability or not.

Finding: The petition appears to say that the special education coordinator is an administrator rather than a special education certified teacher working directly with students with IEPs.

Recommendation: Indicate who will be providing academic support and direct instruction to students in accordance with their IEPs.

Finding: Petition is unclear on how student special education evaluations will be conducted.

Recommendation: Clarify the following points – 1) will only outside evaluators be contracted to conduct all assessments needed for initial evaluations and re-evaluations; 2) who will determine what assessments are appropriate for a specific student; 3) will the special education teacher conduct academic assessments; and 4) if so, how will the appropriate assessment materials be procured.

Finding: Petition is unclear on how a FAPE will be delivered.

Recommendation: Clarify the following points – 1) what materials or programs will be used for strategic interventions for students at-risk of academic failure; 2) what materials or programs will be used for intensive interventions for students with

disabilities; and 3) will teachers receive professional development in use of these materials.

Finding: Petition does not mention how special education will be funded.

Recommendation: State and federal funds typically cover less than 20% of the actual cost of these services. Need to determine how the rest will be funded.

Finding: Petition is missing a complete discipline plan for students with disabilities.

Recommendation: Must include how student behavior will be proactively addressed and the specific process that will be followed if a student with a disability violates school rules or code of conduct, including what will occur if the behavior of concern is related to, or the result of, the student's disability and also if the behavior is not related to the disability. If the consequences for the behavior(s) result in a student with a disability being excluded from a class or from school for more than 10 days, list exactly the process that will be followed by the school personnel.

Describe the school's plan for working with parents who have **students** who are **dually enrolled** pursuant to Chapter 2, Title 33, Idaho Code.

5205 (3) (r)

Required Elements of 33-5205

Idaho Code

Title 33

Chapter 52

Comments by SDE

Finding: The petition does not appear to describe a plan for working with parents who have dually enrolled students.

Recommendation: This must be addressed clearly in the petition.

Describe the manner in which **citizens residing in the compact and contiguous attendance area of the charter school** will be made aware of enrollment opportunities.

5205 (3)(s)

Comments by SDE

Finding: Petition only mentions second language in print.

Recommendation: Make sure that all advertisement is done in both languages regardless of print or spoken.

Describe the school's proposal for **transportation services** as required by I.C. § 33- 5208(4).

5205 (3) (t)

5208 (4)

Comments by SDE

Finding: The petition does not describe a proposal for transportation services. I.C. § 33-5208(4) clearly requires a petition to include a proposal for transportation services during the initial year of operation, along with an estimated cost. I.C. § 33-1501 requires public schools to provide bussing for students living more than 1 and ½ miles from school. I.C. § 33-5210 does not exempt charter schools from general education laws, only rules promulgated by the state board of education.

Recommendation: Contrary to the statements in the petition, there is no need to wait for a court ruling on application of the transportation requirements of public schools and whether they apply to public charter schools. The petition must include a proposal for transportation services including but not limited to students with disabilities during the initial year of operation, along with an estimated cost.

Describe the school's plan for **termination of the charter** by the board of directors, to include:

Identification of who is responsible for dissolution of the charter school;

A description of how **payment to creditors** will be handled;
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
A plan for the **disposal of the public charter school's assets**.

5205 (3) (u)

5206 (8)

Comments by SDE

Finding: The petition mentions the Commission as the authorizer. This is not yet the case.

Recommendation: Instead of a specific name for the authorizer, simply refer to them as the authorized chartering entity.

Finding: Does not say who is responsible for the dissolution of the charter school.

Required Elements of 33-5205

Idaho Code

Title 33

Chapter 52

Recommendation: This needs to be identified.

Finding: Does not detail how student records will be handled.

Recommendation: Include a plan that details the procedure for transferring student records with notice to parents as to how to request a transfer of student records to a specific school.

Describe the proposed operation and potential effects of the school, to include the following:

- a) facilities to be used by the school;
- b) the manner in which administrative services of the school are to be provided; and
- c) the potential civil liability effects upon the school and its chartering entity.

5205 (4)

Comments by SDE

Finding: The petition mentions the Commission as the authorizer. This is not yet the case.

Recommendation: Instead of a specific name for the authorizer, simply refer to them as the authorized chartering entity.

Finding: The petition fails to identify the facilities that the school intends to use.

Recommendation: If a site has not yet been decided upon, the petition must include the specific options that the charter school has investigated. For instance, a table that spells out each possible location, its square footage, its estimated costs, and any other details that are pertinent.

After a sufficiency review has been facilitated by the State Department of Education, the petition may be submitted to an authorized chartering entity for review.

Upon approval by the authorized chartering entity, complete and sign a Tracking

Form. Attach the Tracking Form to the approved charter and submit two copies:

1st copy - State Board of Education: 2nd copy - State Department of Education:

State **Board** of Education State **Department** of Education

Karen Echeverria Stephanie Clark

650 West State Street, **3rd Floor** 650 West State Street, **2nd Floor**


P.O. Box 83720 **P.O. Box 83720**

Boise, Idaho 83720-0037 **Boise, Idaho 83720-0027**

Forms available at www.sde.state.id.us/instruct/docs/charter/06/pet.htm,

“Forms Required in the Petitioning Process”

Twin Fall School District Official Response to Xavier Charter Petition



T F S D
 Wiley J. Dobbs, Ph.D.
 Superintendent of Schools

*Our Mission
 To provide a quality education
 necessary for students to be
 successful in life.*

DATE: August 14, 2006
MEMO TO: Twin Falls School District #411 Board of Trustees
FROM: Dr. Wiley Dobbs, Superintendent
RE: Xavier Charter School Petition Recommendation

After careful review of the Xavier Charter School Petition, research of other school districts, legal advice from our attorney and the Idaho Deputy Attorney General assigned to the State Board of Education and to the Public Charter School Commission, and thorough discussion among our District Office Team, we believe that it is in the best interest of the Xavier Charter School Founders and the Twin Falls School District to refer the charter school group to the State Charter School Commission. The District Office Team bases this decision on the following:

- The State Charter School Commission and their staff have greater resources to provide assistance and support for the Xavier Charter School Founders in setting the school up for success.
- There is a demand on the current district resources that would limit the ability to serve another entity in the school district. The district is providing limited resources in the areas of special education, Title I, Title II, migrant, and ELL from an already limited budget and personnel. The district has challenges meeting the needs for its existing students in specialized areas. In addition, it is becoming increasingly more difficult to generate NCLB-required highly qualified staff particularly in the area of special education.
- Time constraints – The Xavier Charter School Founders would like to work toward opening the school in the fall of 2007. It is the opinion of the District Office Team that a great deal of time and work would be necessary to provide the level of information in the petition necessary for a recommendation of taking the proposed school under the umbrella of the school district.
- Legal resources and costs could be incurred in the development of agreements, contracts, procedures, and documents to frame the arrangement in accordance to the laws and codes regulating public schools and public charter schools.
- With the recent passage of the \$49.7 school bond levy, the third largest in Idaho's history, the administrative staff will be challenged with enormous duties including potential rezoning, grade reconfiguration at the elementary, middle and high school levels, constructing a new high school, and building improvements at eight of the remaining nine school sites. Currently our district operates with 2.5 administrative positions less than is allotted by the state. The district supports additional teaching positions with that funding.

Twin Falls School District # 411
 201 Main Avenue West
 Twin Falls, Idaho 83301
 208.733.6900 - Phone
 208.733.6987 - FAX

- The administrative staff is fully engaged in current programs and services to meet the needs of students, teachers and staff. Implementation, oversight, supervision, and management of curriculum, programs, and ongoing staff development are considered priorities for our district and would leave little time to assist or ensure accountability for a charter school.
- The district has the potential for liability in the areas of policy and procedures relating to curriculum, fiscal affairs, special populations services and student behavior and discipline. There is a risk for the district in those areas that could consume financial resources and time already committed to other areas.
- The TFSD #411 Board of Trustees would have additional duties to ensure oversight and assurance that Xavier was satisfying all conditions of the agreement and the expectations placed on the school by Idaho Code and the Idaho Charter School Commission.

Based on our thorough analysis of this issue, it is our recommendation that the TFSD #411 Board of Trustees refer the Xavier Charter School Founders and Directors to seek consideration from the Idaho Charter School Commission for approval based on the power and authority granted to them as outlined in Idaho Code.